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Levin Wildman

✓

THE
BARRINGTON-BERNARD
CORRESPONDENCE

AND
ILLUSTRATIVE MATTER
1760-1770 ✓

DRAWN FROM THE
"PAPERS OF SIR FRANCIS BERNARD"
(SOMETIME GOVERNOR OF MASSACHUSETTS-BAY)

✓

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INTRODUCTION

THE letters printed in this volume are drawn from the collection of original documents and transcripts which Jared Sparks brought together in the course of his extended editorial career. For years he was Professor of American History in Harvard University and, for some time, was its President.¹ In 1866, after his death, his papers were deposited in the Library of the University and later were given to it by his son, William Sparks. President Sparks made several journeys to England and was shown every courtesy by the descendants of Lord Shelburne and other prominent men of the Revolutionary era and by the government itself. He had volumes of transcripts made for him, and every now and then purchased original manuscripts. Among the latter are thirteen volumes, separately bound, and entitled "The Papers of Sir Francis Bernard, Governor of New Jersey, and afterward Governor of Massachusetts." Of these thirteen volumes, eight comprise Bernard's original "Letter Books." The other five volumes are filled with letters received by him from his superiors and others in England, and also official papers, as commissions. Running through the whole set is a series of letters from Bernard to his wife's cousin-german, Lord Barrington, and the latter's replies. Their interest consists in the fact that they are friendly and confidential epistles and not official letters, although they were written by two of the most highly placed government officers in England and in America.

¹ See Herbert B. Adams' *Life and Writings of Jared Sparks, comprising selections from his Journals and Correspondence* (2 vols., Boston, 1893).

Lord Barrington was the son of John Shute, first Baron Barrington, of Newcastle in the county of Dublin and Viscount Barrington of Ardglass in the county of Down, both in Ireland. The father was one of those fortunate Englishmen, or Irishmen, of that time who unexpectedly inherited money. The first windfall came at the death of Mr. Francis Barrington, who had married John Shute's first cousin; the second was a bequest from John Wildman of Becket, in the English county of Berks, who was not related to him in any way. John Shute's eldest son was born in January, 1717, and was appropriately named William Wildman.¹ In 1734 he succeeded to the title of Viscount Barrington, and six years later entered the British House of Commons as member for Berwick. In 1745, being then twenty-eight years of age, he was appointed one of the Lords of the Admiralty. From that time to the day of his death he was in receipt of an income from the British treasury. In 1753, he was appointed Master of the Great Wardrobe. Two years later, in 1755, he was transferred to the War Office as Secretary at War. At that time, the holder of this office was practically the confidential clerk of the commander-in-chief. Barrington greatly extended its dignity and usefulness, and, by his firmness and kindly finesse, powerfully contributed to William Pitt's successful carrying on of the war with the Bourbon powers. In 1761, Newcastle caused Barrington to be appointed Chancellor of the Exchequer, against the latter's wishes. In the administration of Lord Bute, he held the lucrative position of Treasurer of the Navy. In 1765, at the express wish of the king, Barrington again became Secretary at War. He held that post through all changes in administration until December, 1778, when he resigned. He was

¹ His brothers were Major General John Barrington, Samuel Barrington, Admiral of the White, and Shute Barrington, Bishop of Durham.

given a pension of two thousand pounds a year, which he enjoyed together with the income of a sinecure office, until his death on February 1, 1793. For thirty-three years, from 1745 to 1778, this most successful of placemen fed at the public crib. Ministries might come and go: Henry Pelham, the Duke of Newcastle, the Duke of Devonshire, William Pitt, Lord Bute, George Grenville, the Marquess of Rockingham, the Duke of Grafton, and Lord North with their followers went in and out of office; but Lord Barrington, whose only principle was devotion to his royal patrons, held on.

So fortunate an office-seeker as Lord Barrington was fiercely attacked by those who were not so successful as he. His letters show that he was no ordinary placeman, but one who had his own ideas as to the proprieties. His position was one of great difficulty during the American war, for he had no voice in determining the policy of the government or the plans of campaigns. From 1775 onwards, at least twice yearly he sought relief from a position that had become well-nigh intolerable after the appointment of Lord George Germain to the colonial secretaryship. On one occasion, he thus stated his thoughts to the king:—

“I have, . . . my own opinions, in respect to the disputes with America: I give them, such as they are, to Ministers in conversation or in writing; I am summoned to meetings, where I sometimes think it my duty to declare them openly, before perhaps twenty or thirty persons; and the next day, I am forced either to vote contrary to them, or to vote with an Opposition which I abhor. I know the use and necessity of practicability; but it may be carried too far. Your Majesty has condescended to be my patron; I will have no other: be pleased to determine for me, how as a man of honour, conscience, and feeling, I am to act.”¹

¹ Shute Barrington's *Political Life of William Wildman, Viscount Barrington*, 165.

Barrington disapproved of the American war, or, at any rate, of the way in which it was carried on. The following letters reflect the soundness of his judgment so well that they have been deemed worthy of reproduction in this place, although they were written after the close of Francis Bernard's term of office as Governor of Massachusetts Bay.

To the Earl of Dartmouth, November 12, 1774

"In the present state of the Colony of Massachusetts, I presume it is not an improbable supposition, that no magistrates will be found, who will assist with their authority in executing the laws made by the Parliament of Great Britain: while this situation continues, the riotous mobs, directed by the factious leaders of that country, must govern it; and they cannot be quelled, or even resisted by the army, which must therefore remain in a disgraceful inaction; enriching with its pay a delinquent Colony, and in continual hazard of insult and bloodshed.

"If the Massachusetts should be in this state, it will immediately become a question, what should be done with the seven regiments now there. I beg leave to submit to your Lordship, not as an advice, but as a matter to be considered by better heads than mine, whether they and their General, the Governor, should not be directed to leave a place, where at present they can do no good, and without intention, may do harm.

"If this measure should be adopted General Gage might be instructed, to remind the Colony that the Parliament has made laws, and the Government has sent him with a great number of troops, to deliver it from tyrannical anarchy under which it has long suffered; that he should have carried this good purpose into execution, if he had met with that support from the magistrates and better sort of people, which was naturally to be expected; but having found none, to inform them he must quit the Colony, leaving it in its present distracted state, until it shall become disposed to co-operate in helping itself to a better.

"It is unnecessary to trouble your Lordship now with my opinion, where the troops should be stationed after their removal from the Massachusetts; but there are places not far

distant, where so many of them as shall be thought needful, may remain in safety with convenience, and at moderate expense, till a proper juncture shall offer for their return. In the mean time, I humbly conceive that the naval force may be so employed, as must necessarily reduce the Colony to submission, without shedding a drop of blood.

"The Island (which I believe is called Castle William) being separated from the rest of the Colony, a regiment may continue there with safety, if Government shall judge it expedient."

To the Earl of Dartmouth, December 24, 1774

"Our disputes with North America have not at present the foundation of interest; for the contest will cost us more, than we can ever gain by the success.

"I do not believe, any Ministry will ever attempt another internal tax on the Americans, by Act of Parliament; and experience has shewn, that we have not strength in that part of our dominions to levy such taxes, against an universal opinion prevailing there, that we have no right to lay them. Besides, many among ourselves, though persuaded of the right, doubt at least the equity of such taxations; as Parliament is less acquainted with the state of the Colonies than of Great Britain, and as Members of neither House are to bear any part of the burthen they impose.

"The fair deduction from these premises is, that, whatever might be the case when the Stamp duty was first imposed, our present contest is about the point of honour only; which point, however, can in certain situations be as little yielded to our Colonies, as to our neighbours.

"It is greatly to be lamented, that the North Americans have not enabled us to make concessions to them: much might have been ceded to their duty and obedience, which must be refused to their insolence and resistance. The point under consideration at present is, how the mother country should act towards Colonies, one of which seems to be in actual rebellion, and many more on the verge of it.

"I will begin with the Massachusetts, whose conduct has merited the most severe chastisement, and is such as would justify conquest; but I am against employing troops to conquer that country, for the following reasons.

“First. I doubt whether all the troops in North America, though probably enow for a pitched battle with the strength of the Province, are enow to subdue it; being of great extent, and full of men accustomed to fire arms. It is true, they have not hitherto been thought brave; but enthusiasm gives vigour of mind and body, unknown before. If the Massachusetts (with whom the inhabitants of Connecticut and Rhode Island are said to have made common cause) were conquered, they must be kept under by large armies and fortresses; the expense of which would be ruinous and endless.

“Second. Because the most successful conquest, that can be imagined, must produce the horrors and bloodshed of civil war.

“Third. Because a conquest by land is unnecessary; when the country can be reduced first by distress, and then to obedience, by our Marine totally interrupting all commerce and fishery, and even seizing all the ships in the ports, with very little expense and less bloodshed.

“To this might be added, the punishment of the factious chiefs, by Impeachment or Bill, if their persons can be secured; but till then, any judicial proceedings would provoke but not hurt, and confer the palm of martyrdom without the pain of it; which is the perfection of fanatical beatitude.

“In respect to the other Colonies south of New England, a strict execution of the Act of Navigation, and other restrictive laws would probably be sufficient at present; and a small addition of frigates and sloops would so execute those laws, as to prevent almost all commerce with foreign states. Those Colonies should also be left to deal with the Indians; the Mother Country withdrawing the establishments made since the beginning of the late war for the management of Indian affairs, and kept up till this day at a great expense.

“Though we must depend on our smaller ships for the active part of this plan, I think a squadron of ships of the line should be stationed in North America; both to prevent the intervention of foreign powers, and any attempt of the Colonies to attack our smaller vessels by sea.

“It remains to be considered, what should be done with our troops. I think they should by no means remain inactive at Boston; where their spirits will be cowed, while the Colony will be amazingly enriched. They should not be quartered in any of the Provinces, which have sent Deputies to the Congress;

for if in a large body, they will enrich those Colonies, as they now do New England; and if separated into small ones, they will certainly be useless, and probably insulted. Very good quarters may be provided for them in Canada, Nova Scotia, and East Florida, till they can be employed with good effect elsewhere. There is still a small detachment in the Illinois, which can no longer be supplied by the Ohio, is useless on the Mississippi, and should be withdrawn.

"If these ideas are well-founded, the Colonies will in a few months feel their distress; their spirits not animated by any little successes on their part, or violence of persecution on ours, will sink; they will be consequently inclined to treat, probably to submit to a certain degree; and in my humble opinion, the whole is then over, for with dignity we may make them concessions. I repeat, our contest is merely a point of honour; and Cardinal de Retz wisely observes *qu'il n'y a rien, qui doit moins s'outrer que l'honneur*. The Colonies will feel we are their masters, and will be less provoking for the future; and if we are wise, we shall for the future abstain from all ideas of internal taxation.

"I beg leave to add a word more on this subject. When three out of four taxes were repealed in the Duke of Grafton's ministry, I proposed in the House of Commons to repeal them *all*, where they had not been resisted, and to repeal *none* of them where they had been. I mentioned somewhat similar last year to a meeting at Lord North's. If the tea duty were this season repealed in Canada, Nova Scotia, Georgia, East and West Florida, I cannot help thinking it would produce very good consequences; and would shew the refractory Colonies that obedience is a sure way to be relieved.

"Pardon, my dear Lord, this liberty. I have accustomed myself for near thirty years, to lay my opinions before Ministers; and as this was the only trouble I gave them, they took it in good part. Possibly all my ideas, and many others, may have been suggested to your own mind by the subject: God grant, that you and the other Ministers may adopt those measures, that may give us peace and prosperity."

Upon the sanguine expectation of the force, which it might be practicable to send out to America, Lord Barrington thought

it his duty to attempt to undeceive the Minister as soon as possible; and in July, 1775, addressed the following letter to the American Secretary:—

To the Earl of Dartmouth, July 31, 1775

“Mr. Pownall having mentioned to me this day, that it was intended the force in North America should by next Spring be raised to twenty thousand regulars, I told him it was clearly my opinion, that no such number could be raised or procured for this purpose; and therefore ventured to recommend strongly, that no expectation of the kind should be given, in the dispatches going out to the Colonies. General Harvey was present, and joined in this opinion, which I dare say Mr. Pownall intends to mention to your Lordship: but as the vast multiplicity of affairs, now going through his hands, may prevent his remembering it, I think it safest in this manner, to state it to your Lordship, with all due deference to better opinions.”

To this he added, on the same day, the following letter to his Majesty:—

To the King, July 31, 1775

“I have just finished a long conference with Sir John Blaquiere, General Harvey, and Mr. Pownall. I think I may venture to say, that every thing ordered by your Majesty, in the two letters dated 29th, and one dated the 30th of this month, has been clearly communicated to the several persons, concerned in the execution; and I trust there will be no mistake made by any of them. I have seen the commissions framed for Major-Generals Howe and Carleton, which I conceive to be clear, and sufficient to answer your Majesty’s purpose in granting them.

“I wish, Sir, most cordially, that the force intended for North America may be raised in time, to be sent thither next Spring; but I not only fear, but am confident, the proposed augmentation cannot possibly be raised, and ought not to be depended on.”

A few days after he sent the following, on the same subject, to the Prime Minister:—

To Lord North, August 8, 1775

"I have several plans under consideration, for raising foreigners and Irishmen, to serve in our regiments. Those of them which seem practicable and proper, I will report to your Lordship; for as it is the measure of Government to have a large army in North America, it is my duty and inclination to make that measure succeed to the utmost; though my own opinion always has been and still is, that the Americans may be reduced by the fleet, but never can be by the army. I wish I could flatter myself, that the utmost exertion of our endeavours would produce the recruits we shall want, before next Spring."

Two months after, he addressed a fifth letter, as follows, to the American Secretary:—

To the Earl of Dartmouth, October 26, 1775

"On my arrival at the War Office last Monday, I found that five regiments were to be sent from Ireland, in the beginning of December: I am not apprised where they are going; but I conclude from universal report, that they are intended to act as a separate corps in North America, to the southward. If there should be an idea of such a force marching up the country, I hope it will not be entertained; for there must be great danger of its wanting many essential necessities, where there is so little to be had, so much desire to prevent the having that little, so much difficulty in conveying artillery, stores, provisions, &c. and so much hazard of losing communication with the ships. As to other dangers, I am no judge.

"Allow me once more, my dear Lord, to remind you of the necessity there is, in all military matters, not to stir a step without full consultation of able military men, after giving them the most perfect knowledge of the whole matter under consideration, with all its circumstances.

"I am sensible nothing can excuse the frequent liberties of this kind which I take, but an honest disinterested anxiety for the public, and desire to serve the King and his Administration." ¹

¹ Shute Barrington's *Political Life of William Wildman, Viscount Barrington*, compiled from *Original Papers*, 140—152.

Francis Bernard came of a distinguished English family and was a man of scholarly instincts and some learning. He was bred to the law; but financial reasons compelled him to leave London for the provinces. He settled at the cathedral city of Lincoln, becoming steward of that city and later, recorder of the neighboring town of Boston. In 1741, he married Amelia Offley, granddaughter of Benjamin Shute. Her mother was the sister of the first Viscount Barrington and of Colonel Shute, sometime Governor of Massachusetts. Francis Bernard soon became intimate with his wife's successful relative, the second Lord Barrington. When the pressure of a growing family began to bear heavily on Bernard's resources, Barrington secured for him the position of Governor of New Jersey, and a few years later obtained for him the more lucrative office of Governor of Massachusetts Bay. Throughout Bernard's American career, Barrington was his faithful friend and adviser, although with his own tact and accommodating disposition, the doings of his cousin's husband must have oftentimes been exceedingly annoying. After Bernard's return to England, even Barrington's influence could not save him from the fate that his lack of tact and harshness of utterance brought upon him. George III and Lord North were too shrewd not to realize that the unfortunate course of events in Massachusetts in the ten years following 1760 was largely due to his incapacity. They provided Bernard with a pension, but took little interest in seeing that it was paid. As one means of relieving the exchequer, Sir Francis was appointed one of the Commissioners of Customs for Ireland. This appointment troubled him because he did not wish to go to Ireland, and the whole matter had the appearance of putting him on the shelf. At the time of the excitement in London over the behavior of the Boston people toward the East India Company and its tea

Bernard, according to William Knox, "infused the opinion into Lord North" that the mode of drawing jurors in Massachusetts should be regulated and that town meetings should be prevented. The ordinary idea is that these suggestions came from Lord George Germain, but Knox was at the center of affairs, although he may have forgotten the precise details at the time he made this entry.¹ At all events, in 1774, Sir Francis Bernard's name was restored to the pension roll and arrangements were made for the support of Lady Bernard and the children as appears from a letter written by Thomas Hutchinson on the fourth day of December in that year: —

"S^r. F. Bernard has obtained a pension of £800 for himself, and 400£ Lady Bernard, and a place of better than 200£ a year for his son Tom; all which makes him happy, and I think more healthy. He has been with me as a lodger for 10 or 11 days, in a house which I have taken three doors above Park Place, very pleasant and well furnished. We live in great friendship."²

Lady Bernard never enjoyed her separate pension, as she died in May, 1778, slightly more than a year before Sir Francis himself. The two following letters written by his son, Thomas, form an appropriate close to this brief survey of the life of the next to the last royal governor of Massachusetts: —

To the Earl of Hillsborough, June 30, 1779

MY LORD,

The Countenance & Support that your Lordship has at all Times given to my late Father Sir Francis Bernard³ induce me to hope that your Lordship will excuse the Liberty I

¹ Royal Historical Manuscripts Commission's *Reports, Various Collections*, vi, 257. There is no date to this entry in the "Knox Papers." It may be that the narrator's recollection was a little at fault; certainly it is to be hoped that Bernard did not give the fatal advice attributed to him.

² *Diary and Letters of Thomas Hutchinson*, i, 313 note.

³ Followed by "& the many Favors that you have conferred upon him," then crossed off.

take in entreating you that the inclosed Letter to Lord North may pass to his Lordship's hands through your Mediation. I hope I do not presume too much in this Request; & as there are Some Parts of the Letter which may require Explanation I hope your Lordship will permit me to wait upon you; I will do myself the honor of calling tomorrow Morning to know when it will be agreeable.

great Respect,

I have the honor to be with

Your Lordships faithful
& most obed humble Serv

Lincolns Inn. 30 June 1779

THOMAS BERNARD

The Right honble

The Earl of Hillsborough

To Lord North, July 1, 1779

MY LORD,¹

I trust that your Lordship will pardon an Application occasioned by the Death of my Father the late Sir Francis Bernard; whose private Fortune, never considerable, is so far from having been increased in the Service of Government, that it has been eventually diminished; as I think I could easily explain to your Lordship's Satisfaction.

My Lord Barrington's Goodness to me² & the Marriage of my eldest Sister have made our Situations easy; but the very slender Provision, which my late Father was able to make for my youngest Brother & my three younger Sisters, compels me to beseech your Lordship's favor with his Majesty for a Continuance to them of Some Small Part of his Pension, either in four separate Sums of £100 each, or as Shall be thought proper. Permit me to say that the Favor will not be unworthy of your Lordship's benevolent Disposition, & I pray you to excuse the Pride with which I add that it is not

¹ "Bernard Papers," vol. xii, 303, 311. These letters are endorsed on the back: "Thomas Bernard to Lord North July 1. 1779. on the death of his father Sir Francis Bernard."

² In another draft of this letter (*ibid.*, xii, 319) after the words "to me" the following was inserted: "(in recommending me to the Appoint^t of one of the Deps: Comm^s of Musters)."

unmerited by the Zeal & Integrity with which my Father devoted his Life and Abilities to the Service of his Majesty.

I have the honor to be

1st July. 1779

Your Lordship's dutiful
& obedient Servant

THOMAS BERNARD

The Right honble
Lord North

Bernard's personality comes out clearly in the following letters. His growing family and his aristocratic desires made necessary a larger income. The only way that he could see to improve his fortune was to secure places and pensions for himself and his children, to get an augmentation of salary, and to secure whatever additional grants he could from the treasury. As these letters were written to his political backer in England, these matters are constantly mentioned in them and give one an impression of sordidness of character that was really foreign to Sir Francis's nature. Among other gains was the gift of Mt. Desert Island from the Massachusetts Assembly in the early years of Bernard's tenure of office. Unfortunately for him, Mt. Desert was outside of the territory which was at the disposal of the provincial assembly. It required the confirmation of the king and this proved to be no easy matter to obtain.

Had Bernard's career in Massachusetts been in other times, it is conceivable that he might have had a pleasant and profitable term of office, for his scholarly tastes would have been in harmony with his surroundings. His fall from colonial grace came soon after the grant of Mt. Desert and grew out of the affair of the Writs of Assistance. The Assembly had passed a bill designed to mitigate some of the objections to the use of these general search warrants. Bernard felt obliged to negative this law. This affair was hardly smoothed over when the

passage of the Stamp Act aroused sharp differences that continued to the end.

Governor Bernard did not approve of the project of taxing America by act of Parliament, as it was attempted. He thought that the provincial governments should be thoroughly reformed before anything of the kind was done. Besides, he wrote that Massachusetts in 1765 was burdened with taxes. His scheme for colonial reformation was to assimilate the provincial governments to that of Ireland. At a later time, he argued for the admission of American representatives to the imperial Parliament. Barrington put this suggestion aside with the assertion that there were not ten men in both Houses of Parliament who would favor any such project. At the time of the Stamp Act commotions, Bernard had applied for troops. Arrangements had been made for sending soldiers to Boston when he changed his mind and refrained from using the discretionary orders that had been placed in his hands.

From November, 1765, Bernard was exceedingly anxious to return to England, or to be transferred to some other colony. Barrington opposed these projects of return, but procured for him a discretionary letter of recall. Barrington also used his influence to procure a more advantageous post for his cousin's husband. Finally Bernard was on the point of being transferred to Virginia with the title of baronet, when the necessity for providing for Lord Botetourt prevented the former. Instead, Bernard was given the title without the payment of any fees, and was ordered home to report on the state of the province. Two things had made it extremely desirable for him to leave Massachusetts in 1769. When it had been determined to send troops to Boston in 1768, following on the seizure of the sloop *Liberty*, Barrington had foreseen that the

Quartering Act would be unworkable. The soldiers had not been hospitably received and the officers laid some of the blame for this on the governor. Bernard excused himself as well as he could, but he had become unpopular with the soldiers as well as with the people. The dislike of the latter had been greatly increased by the printing of Bernard's official letters to his superiors in England. These had been laid before Parliament and had become public property. There is nothing in the letters printed in this volume, nor anywhere in the "Bernard Papers," to explain the cessation of the cordial relations which for a decade had subsisted between Lord Barrington and Sir Francis Bernard. All that can be said is that the last ten years of Bernard's life were out of keeping with the promise of the ten years of his American career.¹

Lord Barrington's letters are in his own hand and are the

¹ The first two volumes of Mrs. Napier Higgins' *The Bernards of Abington and Nether Winchendon, A Family History* (4 vols., London, 1903) contains what is substantially a life of Sir Francis Bernard. On library catalogues this work is sometimes entered under Mrs. Higgins' baptismal name Sophia, which does not appear on the title page. She knew that thirteen volumes of Governor Bernard's papers were in the Harvard College Library, and thus referred to them in her preface: "Documents illustrating the most critical period of the history of England in its relations with America have been allowed to fall into American hands, and it has not therefore been practicable for me to consult them." To this book should be added *The Political Life of William Wildman, Viscount Barrington, compiled from Original Papers by his brother, Shute, Bishop of Durham* (London, 1814).

Some of the matter contained in this volume has already been printed in the *Select Letters on the Trade and Government of America by Governor Bernard* (London, 1774). Many of these are again reprinted in one or more of the following books: *Copy of the Complaint of the House of Representatives of Massachusetts-Bay against Sir Francis Bernard: with Sir Francis Bernard's Answer* (no date); *Conduct of the Late Administration examined, relative to the American Stamp-Act* (London, 1777); and Almon's *Collection of Interesting, Authentic Papers relative to the Dispute between Great Britain and America, 1764-1775*. This last was published at London in 1777 and is always referred to as the "Prior Documents" from the running headline. Other original matter from Bernard's pen is to be found in *Letters to the Ministry from Governor Bernard*,

originals received by Governor Bernard and filed away by him. Bernard's letters are from his "Letter Books." Some of them were undoubtedly copied from the letters as sent; in other cases it is not unlikely that the letters are copied from Bernard's original drafts written, possibly, upon a chance sheet of paper and destroyed after copying. The drafts are in several hands, being written by clerks or scribes whom Bernard employed; in a few instances the chirography changes in the midst of a letter. They are corrected, interlined, and re-written so much that it is difficult to reproduce them in print. The attempt is here made in the text and in the notes to show the original spelling, capitalization, and punctuation. In arranging the correspondence, the plan has been followed of placing Barrington's letters immediately after those of Bernard to which they refer; but this has not always been found to be possible.

In the Appendix are some papers relating to the financial and military limitations of the functions of a provincial governor. These are general in their nature and do not relate particularly to Massachusetts. Appendix III contains a long one-sided statement of the course of events in Massachusetts, beginning with 1766 and including a narrative of the tea troubles. The author and date of writing are both unknown, but the document is so valuable in its point of view

General Gage, and Commodore Hood (Boston, 1769); *Letters to the Right Honourable the Earl of Hillsborough, from Governor Bernard, General Gage, and the Honourable His Majesty's Council of Massachusetts Bay* (Boston, 1769); and in Alden Bradford's *Speeches of the Governors of Massachusetts, from 1765 to 1775; and the Answers of the House of Representatives* (Boston, 1818). There is a good deal of material relating to Bernard in the *Diary and Letters of Thomas Hutchinson* edited by P. O. Hutchinson (2 vols., Boston, 1884-86), and in the third volume of Hutchinson's *History of Massachusetts Bay* (London, 1828). Of modern accounts that by J. K. Hosmer in his *Life of Thomas Hutchinson* (Boston, 1896) is perhaps the best.

that it has been thought worthy of a place in this volume. All the matter in the Appendix is drawn from the "Bernard Papers."

EDWARD CHANNING,
ARCHIBALD CARY COOLIDGE,
Committee of Publication.

CAMBRIDGE, MASSACHUSETTS,
August 6, 1912.

THE BARRINGTON-BERNARD CORRESPONDENCE

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 16th April 1759

DEAR SIR,

Some time since I received your Letter concerning Colonel Peter Schuyler, of whose merit I have heard much, & whose character I greatly admire; & yet perhaps he might not shine so much, commanding a Corps of Regulars, as he does with his command of Provincials. The Army is a trade in which a man must begin his apprenticeship young; be that as it may, a proposition of the kind you mention must not come from the War Office; it can only come with effect from the Commander in Chief in America. I beg this may not discourage you from giving me future hints: I shall always think myself obliged by them.

Since my last I have had the affliction to lose my Sister Price, who died in childbed of her tenth child. She was threaten'd with a cancer, a circumstance I did not know before her death, & which is certainly some alleviation of the concern it gives to all her friends. I hope you, M^{rs} Bernard, & the little

¹ "Bernard Papers," vol. ix (Correspondence), p. 39. The letter to which this is a reply is not among the "Bernard Papers"; usually Barrington's letters are in answer to one or more from Bernard.

family with you continue perfectly well, & pleased with your situation.

I am with the greatest truth esteem & regard

Dear Sir

your most obedient

humble Servant

BARRINGTON

His Excellency Fra^{cs} Bernard Esq^r

Gov^r of New Jersey.

GOVERNOR BERNARD TO LORD BARRINGTON¹

PERTH-AMBOY Mar. 22. 1759

MY LORD

As I know it will be agreeable to your Lordship to hear of the good Success of my proceedings here; I give you the trouble to inform you that there is the utmost harmony between me & the Assembly, which has been lately made Evident in a Sessions just now ended; where the Public business has been expedited with an unanimity & dispatch scarce ever known before. For proof whereof I beg leave to inclose such of the proceedings as have been printed in the Neighbouring News papers.

As I think it necessary to endeavour to get this province favoured in such articles as the Abilities of y^e People will recomment them to; & also to serve, in the best Manner I can, those Gentlemen to whom I am most indebted for the Support of the Government & the Assistance of myself: I must beg the favour of your Lordship, that, — if the present Conquests, any future acquisitions, or other establishments should afford an Opportunity, you wou^d Grant a Victualling

¹ "Bernard Papers," vol. i (Letter Book), p. 167.

contract to this port; for which there is none other in America so fit; as this Province, besides its exports Elsewhere, supplies the Port of New York with the greatest part of their Vittualling Store.

The Person whom I would reccommend for this undertaking is John Stevens Esq^r, Member of the Assembly for this City, a very Considerable Land-holder, & thoroughly acquainted with the several branches of trade, & now Commissary for Cloathing &c the New Jersey Regiment. His Influence & abilities have given him opportunity of being of the greatest use in the Support of the Government. & his friendly Disposition has made him very serviceable to me in my private affairs. In short, our connections are such, that a favour of this kind to him would be the same as if done to myself.

I ought to be ashamed in troubling your Lordship again, after having received so many favours; but I hope it will be understood, that I make no request to your Lordship, without the Condition, that It is agreeable to your Lordships sentiments & convenience.

My house is at Present a War-office & like to continue so for a month longer; when I hope to have my regiment to a man in the field, under the Command of Col. Schuyler. We are three weeks earlier in this business this year then the last; I can truly say that I have not lost a day.

We are all very well & desire that Our Complim^{ts} may be acceptable to your Lordship, your Lady, Lady Dowager & all our friends. I am my Lord,

your Lordships &
&c &c &c

Lord Barrington.

GOVERNOR BERNARD TO LORD BARRINGTON¹ (?)

PERTH AMBOY MAY 23 1759

MY LORD

I acknowledged your Lordships favor of the 5th of Febry. by the last packet, intending to give your Lordship a further trouble concerning your kind hint, when I had got my regiment of Jersey blues in the field: These I have had the pleasure to see embarked for Albany 2 days ago compleately clothed & furnished well officerd & full to a man. And now I am at liberty to think of other things. If the peculiar circumstances of my family did not require an uncommon exertion to make a provision for them, I should condemn myself for thinking of another Government. But 'till Nature sets bounds to the Number of my children, (which is not done yet) I know not how to limit my wants or desires. Upon this account only can I desire another Government: & I cant but consider that in pursuing one advantage, I shall lose some others that I set an Value upon. There are several agreeable circumstances in my present situation, which I cannot expect to have improved, but must have some of them impaired by removing from hence. They are cheifly these, The Health & Beauty of the Country; the good disposition of the people in a political sense, or, what answers the same purpose, their favourable Opinion of me; the free & easy Way of life in which I am permitted to live in, being quite of the Way of form & parade. As to the first of these, I look upon this Town to be the precise spot of a medium of the temperature of this province (besides its peculiar healthi-

¹ "Bernard Papers," vol. i (Letter Book), p. 173. This is undoubtedly to Lord Barrington, but the letter mentioned, dated Feb. 5, is not among these papers. In the manuscript the last part of the letter is crowded together on the page, leaving barely room for the letters, "L^dB."

ness above other places in the same latitude); & that whoever goes North or South of this province, changes his situation for the worse. Therefore, in regard to Climate, I should not care to go North of New York or South of Pennsylvania, & therefore should confine my desires to the two next neighbouring Governments. In regard to the political disposition of the people No one can assure himself of an easy Government in the former, or can hope for it in the latter. If, indeed, the appointments of Governors should be settled by Parliament so as to make them independent of the people (which has been much talked of & cannot be done too soon) I could venture on any government & trust to my discretion supported by independency. Or if Pennsylvania should be made a royal Government (which must be done, however reluctant the proprietors may be to it) and a fixed Salary should be settled on the Governor, I would venture on that. And till these things are done, there will be no restoring peace to that distracted province. I will trust your Lordship with a foible of mine, which, if known, would lower me in the Opinion of the prudent & discreet men of the World. I find I have a good deal of public Spirit in me & take a pleasure in doing my Country service, where my own intrest is not equally concerned. I know of no greater Service, that this Country affords for a public spirited Man (except the defending it from its enemies) than settling the disorders, healing the divisions & ballancing the constitutions of the Governments; & there is no province that affords so arduous & so glorious a task as Pennsylvania. With a prospect of success in so great a work (which, with proper assistance from the Crown & also, if necessary, from the Parliament, might be hoped for) I think, I could give up the ease & pleasure I have here; which I should think ill exchanged for any money, did

not the considerations before mentioned intervene. But I am far from desiring this; & it is probable, that things are not ripe enough for such an alteration. If therefore my services should be thought sufficient to intitle me to further favors, It is possible, I may be able to point out some means of making some addition to what I now enjoy, without my quitting this Government. If I can explain myself farther on this subject I shall do it by the first opportunity.

I am going to the Southward parts of this province next week, & from thence shall cross over to Philadelphia; where I shall learn the particulars of a new revolution in that City. It seems the Governor has consented to a bill for taxing the unimproved lands, contrary to the principal article of his instructions: and the Assembly has given him one of the 3 years Salary they owed him. They say, he might have had the whole if he had required it: but now they say, he must do another job to get the other two years. This is not to be wondered at: for it is well known, that the proprietors have been for some time looking out for another governor; & therefore, they must not be surprized if the present endeavours to get in his arrears before he goes. But it will be strange, if this does not open the eyes of the proprietors & make them see the necessity of surrendering the government to the King after having the right of the proprietorship settled by private concessions. This was the Case of New Jersey: the taxing the proprietors unsettled Estates was the chief bone of contention between them & the Assembly, till the surrender of the Government after which It was never so much as attempted.

I am &c

L^d B.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 14. Nov^r. 1759.

DEAR SIR,

I have to my shame I confess it, several Letters of your's which I have not yet acknowledged. Some of them relate to forfeited Lands concerning which M^r Pownal and I have had several conversations. I need not explain the difficulties we should have found in a pursuit of that nature, as a fortunate circumstance has offer'd which will carry you from new Jersey to Boston. The Death of Colonel Haldane Governour of Jamaica has occasion'd a general promotion of Governours in America: M^r Lyttelton goes to Jamaica, M^r Pownall to Carolina, you go to Boston & M^r Boon succeeds you. I found Lord Halifax in the best disposition to shew his regard for you and approbation of your conduct, & I am to wish you Joy of the thing you desired, given in the manner that must please you the most. I will endeavour that your Instructions shall be as little Inconvenient to you as possible, and shall be happy in every opportunity of shewing my sincere regard & affection for you and your family. I hope this change will not be less agreeable to my Cousin than it is to you; & I beg you will convey to her my sincere Compliments & congratulations.

I have not time to give you an Account of our Successes in Europe & in Asia as well as in America. They are great, and I hope they will produce us a good Peace; but hitherto no Overtures of that sort have been made.

All M^{rs} Bernard's Relations in my family are well, except M. Gen^l Barrington who got an unlucky Accident ashooting in Norfolk: a friend of his firing at a Partridge one of the

¹ "Bernard Papers," vol. ix (Correspondence), p. 73.

shots touched the white of his Eye. He has been blind of that Eye ever since, & has sufferd great pain in different parts of his head; but he is now much easier, the Eye is coming to itself, and there is the greatest reason to think he will recover the Use of it. The other Eye never was in the least affected. All of us join in sincere Compliments & wishes to you and M^{rs} Bernard. I am with the greatest truth & regard

Dear Sir

Your Excellency's

most faithful &

most obedient Serv^t

It is expected that

BARRINGTON

in a few days your

Appointment will go thro

the forms of the Council.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 22^d Feb^y 1760

DEAR SIR

I receiv'd with great pleasure the account you sent me of M^{rs} Bernards' safe delivery. I have communicated this good news in the manner you desire to her Relations here, who all join with me in compliments to her & you on this occasion.

I hope you receiv'd my Letter acquainting you with your removal to the Government of New England. I flatter myself the change will be advantageous for you; the most sanguine wish of your friends cannot go farther than that the People over whom you are going to preside may think of you, & act towards you as you deserve.

¹ "Bernard Papers," vol. ix (Correspondence), p. 93. The letter to which this is a reply is not in the "Bernard Papers."

A little time will shew what expectations we may form of Peace, but we are acting as if there were to be the most vigorous continuation of War. Prince Ferdinand's Army will not consist of less than 90,000 men, and no other part of the World will be neglected.

I am with my best wishes

Dear Sir

Your Excellency's

most faithful and

most obedient Servant

BARRINGTON

P.S.

I have sometimes the pleasure to see my Godson who I assure you, without flattery, is a very fine Youth, & is reckon'd one of the best Scholars of Westminster.

His Excellency

Francis Bernard Esq^r &c. &c. &c.

at New Jersey. America.

GOVERNOR BERNARD TO LORD BARRINGTON¹

PERTH AMBOY feb 18th 1760

MY LORD

I received Your Lordships favor of Nov 14th last fryday & want words to express my thankfullness to your Lordship for your kind & Earnest Care of us. I need not repeat to your Lordship, that it is upon my Childrens account only that I

¹ "Bernard Papers," vol. i (Letter Book), p. 194.

have solicited this advancement, in regard to ourselves, we shall quit this place with regret. as the People have joined with the Country & Climate to engage our Affection for it. & therefore Your Lordship must not be surprised if some years hence when I can better afford to prefer ease & pleasure to profit, I shall trouble your Lordship to get me sent back to Amboy: which I suppose will allways be an easier task than the present has been; as competitors for governments are, in General, more attentive to the income than the Situation.

I have not been able at Yet to form any Certain Judgment of the Value of that Government: It is generally said to be worth £1500 Sterling p^r an. If so, as it is undoubtedly a cheaper market than N York, I think we shall live for half that Money; especially as M^r Pownall has established a life of reserve which tho' I could not so well begin it myself I can follow, & shall, as far as it is Convenient with the honours of the Place. As I am order'd to stay here 'till M^r Boone comes, I reckon I shall not set out for Boston till some time in May next; as soon as I get a little settled there, I will acquaint your Lordship with the particular situation & the Circumstances of the Governm^t It is one good one, that, as I am assured, M^r Pownall has brought it into very good order; & I doubt not but I shall keep it so, as I have no reason to fear that any impracticable instructions will interfere.

I this day rec^d a letter from Gen^l Amherst, desiring that I would set my Assembly about providing for the Campaign. But I must have a letter from M^r Pitt before they will mind me. It seems to me inevitable that the Provincial troops must take the field this Year, tho' there is little more to do than to take possession. But I hope the amazing Series of Success, that has attended his Majesty's arms, will authorise

him to retain Canada: and I can assure your Lordship that that Acquisition only will be worth all the Expences of the War.

We are extreamly concerned for Gen^l Barrington's misfortune, but flatter ourselves that a Cure with a recovery of the Sight has been brought about; especially as we see in the papers, that he is going with a Command to Germany. We beg your Lordship will present our Congratulations to him on the Great honours he has deserved of & rec^d from his Country.

Our Compliments wait on the Ladies & all our Friends. I am with the greatest Gratitude

my Lord

your Lordships most obedient
& most humble Servant

Lord Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

NEW YORK Ap. 19. 1760

MY LORD

I am just arrived here from New London, where I have met Gov^r Pownall & been informed of the state of Massachusetts bay. The income of the Government falls short of expectation, being hardly to be brought up to £1200 sterling by reckoning in all advantages & contingencies. On the other side it seems that the expenses of living will also prove short of expectation, so that upon the whole the ballance may turn out so much in my favor as to make my removal advantageous on account of Money only. But there are other advantages of consequence to me, among which I must reckon the greater Opportunities I shall have of educating &

¹ "Bernard Papers," vol. i (Letter Book), p. 201.

providing for my children; of which I shall have much better means than I could expect here. As for the people,¹ I am assured that I may depend upon a quiet & easy administration. I shall have no points of government to dispute about, no schemes of self interest to pursue. The People are well disposed to live upon good terms with the Governor & with one another: and I hope I shall not want to be directed by a junto or supported by a party; but that I shall find there as I have done here, that plain-dealing integrity & disinterestedness make the best System of policy.

As to the pleasures of life, there is a great contrast between the two places. This Town (Amboy) struck me Very much at first for the pleasantness of its situation; and I think still that I never saw a more delightful place for a country seat. But when I found myself wholly secluded from refined conversation & the amusements that arise from letters arts & sciences, I learnt that there might be too much of retirement. On the other hand Boston is perhaps the most polished & scientific Town in America. I shall find there a good public library, many very conversible men, tolerable musick & other amusements to which I had bid adieu not without regret. It is true, that the parade of the Government & the great course of company will be disagreeable at first: but in time we shall get rid of part of this & be familiarised to the other part. And to Vary the Scene We shall have a very pretty place to retire to, a pleasant apartment in Castle William which stands in an Island about 3 miles from the Town at the entrance of the² bay.

¹ This part, beginning with "As for the people" through the end of the paragraph, is printed in Mrs. Napier Higgins's *The Bernards of Abington and Nether Winchedon*, i, 248.

² First written "in a pleasant," then changed to "at the entrance of the."

Your Lordship will perhaps have expected to have heard from me long before this comes to hand. But we have been Very unfortunate in the packets this Winter. My letters from London dated the Middle of November I did not receive till the Middle of february. My answers to them, which were wrote immediately after the receipt, are now lying at the post office here, waiting for the arrival of a packet boat, which is now suppose to be taken, & on board of which it is expected mine & M^r Boones commissions have been put. If these should fail, the succession at Amboy & Boston would be stopt for some time. I am with our compliments, My Lord &c
Lord Barrington

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 3^d June 1760.

DEAR SIR

I am favour'd by two Letters of your's One dated the 18th of February the other the 19th of April, and I am happy to find that you are pleas'd with the Exchange of Governments. The paper you enclose shews plainly how well the people of Jersey are pleas'd with your administration; I make no doubt of your being as much lik'd at Boston. Your conduct in both governments will make it a pleasing and an easy task to solicit one better than either, when ever any such shall be vacant, and agreeable to You. I am also very happy to find that M^{rs} Bernard likes America so well; I beg you will present my best Compliments to her together with my assurances of regard, and desire of contributing to whatever may be useful and agreeable to her & her family.

¹ "Bernard Papers," vol. ix (Correspondence), p. 107.

You have heard before this time that the Estate in Derbyshire is sold. M^{rs} Porter's share I have put into the four per Cent Annuities of this Year with her approbation. Her income will be a little increas'd by the Exchange.

All your friends here are well, and extremely happy to find that you are settled so much to your satisfaction. They all send the most affectionate Compliments to you and M^{rs} Bernard. Major Gen^l Barrington's Eye mends apace, but his Constitution has not recover'd the shock of a West Indian Climate, so as to serve abroad this Campaign. He is going to Scotland where he is to serve under Lord George Beauchamp, who commands in Chief in that Country.

I assure you, without flattery that my Godson is a very fine Boy: I have it from good hands that he is one of the best Scholars in Westminster School. I have never heard you say to what profession he is destin'd. If your Inclinations and his are for the Army I will endeavour to procure him a Commission before the War is over. I am with the greatest truth & regard

Dear Sir

Your most faithful &

most obedient Servant

His Excellency

Francis Bernard Esq^r

Governor of New England.

BARRINGTON

GOVERNOR BERNARD TO LORD BARRINGTON¹BOSTON Augst 7th 1760

MY LORD

I was preparing to inform Your Lordship of Our Safe arrival at this Town when I rec^d your Lordship favor of the 3rd of June which was brought by the Leicester Packet which arrived here this Morning, As the Packet was drove in here by southerly winds, I ordered Gen^l Amherst's dispatches to be sent from hence to albany under the Care of a Lieut of Highlanders & an Express rider by which means he will receive them a week sooner than he would by way of New York.

We made our Entry here last Saturday in a very Magnificent Manner. It seems there had been no Instance of a Gov^r entring by land since Gov^r Burnetts time so the Cereimonial was in a Manner new. For this I shall refer your Lordship to the new[s] of the day, which I shall add to the trifles which your Lordships kindness for us has encouraged me from time to time to trouble you with. I have the Pleasure to inform your Lordship that I have a very fair Prospect of an easy Administration from the Assurances of All persons concerned in it that I have yet seen; as also from the favourable impressions, which I am told have been rec^d of me as well from London as from New Jersey.

I am very Glad that the money is laid out with M^{rs} Porters approbation & for her Advantage. whatever your Lordship shall do therein will certainly have our approbation. Perhaps when the war is over if stock should Rise, & private intrest (as it Generally is) be higher than public, It may be more for her Advantage to Vest the Money upon land Security

¹ "Bernard Papers," vol. i (Letter Book), p. 272.

We are Extreamly Glad that Gen^l Barrington is in the Way of Recovery from all his shocks; we are much obliged to our friends for their kind remembrance of us & beg your Lordship will again present our Compliments

Your Lordship may imagine that I receive great Pleasure from your Accounts of my son; and I must do him Justice to say that it agrees with Accounts I receive from every one Else, I am very much obliged to your Lordship for your kind intention towards him: but I have not as yet formed nor do I intend for some time to form any resolution Concerning his profession. I intend at present to indulge his uncommon tast for literature; & for that purpose would have him to pursue his studies at Oxford for 3 or 4 Years. At Next Westminster Election (which is the Monday before Ascension day) I hope to have him elected to Christ Church: to secure this point with the dean of Ch. Ch. I fear I must trouble your Lordship to add a little weight: a word from the Duke of New-Castle (whō I understand to be the Deans patron) will make all safe. M^r Stone will I doubt not, save your Lordship any trouble you please in this business.

As this extention of his Education will superannuate him for the Army, I shan[t (worn off)] be able to avail my self of your Lordships kind offer on that Account. But If the Placing him out depended on me alone, I should not doubt to express my desire to see him (when his Education is Completed) in some public office, if Possible under your Lordship Eye

M^{rs} Bernard begs leave to Join with me in our best respects to your Lordships

I am my Lord

Your Lordships most obedi^t
& most humble servant

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 15th October 1760.

DEAR SIR

I am favour'd by your Letter dated Boston August the 7th, and am extremely happy to find by it that New England is so agreeable to you & M^{rs} Barnard. The prospect of an easy administration is by your account extremely fair. I most sincerely hope it will equal not only your expectations, but your wishes: I am sure you will do your part, I hope the people over whom you preside will do their's.

I most sincerely congratulate you on the happy reduction of Canada which has set the hands of Government at liberty in that quarter of the World. I think our affairs in other parts wear a favorable aspect; particularly in the East Indies, where we are strong, and the French are become weak. Even in Germany, Superiority of numbers has not given the Enemy superiority of Success; which I hope will be evident and declared on our side before the Troops go into Winter Quarters. I wish the result of our good fortune may be a speedy and honourable peace; but I rather wish than expect it soon.

Some time before I receiv'd your Letter, my Brother Shute put me in a way of serving my Cousin & Godson. The Duke of Newcastle at my desire, wrote to the Dean of Christ Church, whose answer to His Grace leaves me no room to doubt of your Son's success next Election.

I am also to return you many thanks for your Letter of the 23^d of August, and the papers enclosed therewith.

All your friends here are extremely well, and send you their best compliments; General Barrington particularly, who

¹ "Bernard Papers," vol. ix (Correspondence), p. 145.

serves at present on the Staff in Scotland, has entirely recover'd the use of his Eye. We all join in compliments to

M^{rs} Barnard. I am with the greatest truth & regard,

Dear Sir

Your Excellency's

most faithful &

most obedient Servant

BARRINGTON

His Excellency

Francis Barnard Esq^r

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Augst 9th 1760

MY LORD

A few hours after I sent away my letter dated the 7th to your Lordship, I rec^d advice of the death of Lieut Gov^r. Delancy I have wrote Lord Halifax of this event, as it is possible this Ship may arrive before one from N York. I think it is also propper to advertise your Lordship of this; but without any View to myself; as I am sens ble that I ought to show my self worthy of the late favours shown to me before I solicit others; But if your Lordship should have any friend Apply for it, I would acquaint him that I believe, that Government is fully rated at £1800 sterling ₤ an £1000 of which must be expended even with Oconomy

I am &c

Lord Barrington

¹ "Bernard Papers," vol. i (Letter Book), p. 274.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON August 23. 1760

MY LORD

In the Cover with this I inclose a duplicate of a letter I sent, soon after the time of its date, by the Ship *Brittannia* Cap^t Dashwood bound from this port to London: since which business has gone on extreamly well. What passed between the Assembly & me will appear from the following papers, which I take the liberty to enclose. To these I have only to add that the Assembly made the usual Grants viz £975 Sterling for the Salary of the current Year (of which near a quarter was spent) & £225 sterling for the Charges of Removal. This was done with a uncommon unanimity; and this bill passed both houses & received the Assent in one day.

On the 14th Cap^t Stott of the *Scarborough* brought to me Dispatches from England that came in the *Vengeance* Man of War: among these was a letter from your Lordship to Gen^l Amherst & another to Col. Amherst they were immediately dispatched for Albany: the Messenger that carried them is returned & brings advice that on the 7th inst Col. Amherst went from Oswego with the *Vanguard*; on the 10th Gen^l Amherst with the main body; & on y^e 11th Brig Gage with the rear: The Numbers were not ascertained. Also that on the 11th Col. Haviland went down lake Champlan with 3000 Regulars & 2500 provincials. It is apprehended they will meet with Opposition at the *Isle des Noix*

This day a Sloop arrived from *Quebeck*, which she left on the 26th of July: the Master brings advice that on the 13th Gen^l Murray sailed up the River with 2500 regulars & left

¹ "Bernard Papers," vol. i (Letter Book), p. 275.

1000¹ more in Quebec that about the 23 a Schooner arrived with an Account that two forts had fired up on his fleet & killed an Officer & 5 or 6 men: and that the forts were afterwards abandoned: that he had met with no other opposition, the People in general submitting & giving up their Arms. He adds that he met the two Regiments from Louisburg at the Iles de Coudre: they had been at sea 3 Weeks.

From all these we expect very intresting advises Soon: and I hope I shall have occasion to congratulate your Lordship before I seal this letter. We wish we could with as great probality flatter our selves with seeing Cap^t Barrington, who we understand is arrived at Louisburg.

I am my Lord

Your Lordships &c

R^t honble L Visct. Barrington

GOVERNOR BERNARD TO LORD BARRINGTON²

BOSTON sep^b 9. 1760

MY LORD

I wrote to your Lordship ten days ago enclosing some favourable accounts of the progress of his Majesty's forces against Montreal, which I sent by the Brigantine Bristol Packet. I have this day received by Express early advices of the further success of the Army, which seem to leave room but for one acc^t more. I have therefore engaged a Brig to Sail directly with an Accoūt of these dispatches, which I have enclosed in a cover to the Secretary of state the same which your Lordship will receive with this.

I heartily congratulate your Lordship on this Occasion, &

¹ Followed by "in Garison," then crossed off.

² "Bernard Papers," vol. i (Letter Book), p. 278.

hope it will not be long before the last congratulations on the Military success in N America will come to your hand. I am my Lord.

Your Lordships most &c
&c &c &c

R^t Honble L^d Viscount Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Sep^t 17. 1760

MY LORD

I have now the pleasure to congratulate your Lordship on the reduction of all Canada by the Surrender of Montreal on the 8th inst. The french abandoned all their out Posts, but one which Gen^l Amherst invested & took, & gathered all their forces together at Montreal to the Amount (according to their Account) of 13000 men: who surrendered prisoners of War on the approach of the three british Armies, a&, as I understand, before their junction was completed As this advice is come from Montreal in 9 days We cannot expect particulars: but from what I can learn, there have not been 100 men lost in all the expeditions, I Shall enclose Copies of the letters I have rec^d

I am my Lord
&c &c

R^t honble L^d Barrington not sent

¹ "Bernard Papers," vol. i (Letter Book), p. 280. This letter was crossed out in the Ms., and was probably not sent.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Sep 29. 1760

MY LORD

I beg leave to congratulate your Lordship on the surrender of all Canada. I received the advice on the 17th but 9 days after the capitulation; & immediately engaged a Vessel to sail away with the account; for which purpose I wrote to your Lordship to M^r Secretary Pitt & to the Lords of trade inclosing copies of the letters to me. But having been disappointed in that Vessel & also in another I afterwards engaged for the same purpose, I cannot propose now to hasten the advice of this glorious event. Nevertheless least the Diana who is charged with this account should meet with any accident, I have thought proper to take the opportunity of a Vessel that is sailing for Glasgow to enclose to your Lordship the News papers of the day, which includes among other things the substance of the Genl's letters to me.

I am

Lord Barrington

GOVERNOR BERNARD TO LORD BARRINGTON²

BOSTON January 17. 1761

MY LORD

I am favoured with yours of the 15th of October which like every other adds much to my Obligations to Your Lordship. I beg through your hands to return my thanks to M^r Shute Barrington for his concern for my son. I have had that business so much at heart, especially as I had rec^d advice

¹ "Bernard Papers," vol. i (Letter Book), p. 282.² *Ibid.*, p. 292.

that there would be great intrest made on that Occasion, that I have been unnecessarily troublesome to your Lordship, having then rec^d Advice that a Ship which Carried a letter to your Lordship, was taken & not knowing then that my second Venture had escaped.

I have received advice from M^r Bollan the Agent for this Province that he has had full & proper Assurance that my Commission will be renewed. As I am undoubtly indebted to your Lordship for this repeated favor I must beg leave to return your Lordship my Particular thanks for my being continued in his Majestys service. And at the same time I must beg leave to state my present case, as it is very singular, without any imputation to the gratefull sense I have of the unmerited honor that has been conferred upon me.

It is no uncommon thing for a man's purse to be impaired by perferment coming too fast upon him: I remember to have read of a Bishop's being undone by too frequent translations. — My case is as uncommon as I suppose that of Any one whatsoever: I shall have had three Commissions within the space of 3 Years; the two latter will I suppose be within the space of one Year. The fees of a Commission are not less than £400: I have now before me an account of the fees of my first Commission to the amount of £390, tho it does not include all. So that by this time I suppose I shall have P^d £1200 in fees, & I shall have received from New Jersey 2 Years at £800, £1600 & 1 Year from Boston including the whole of the Current Year to the End of May next 1100, total £2700, ded¹ £1200 remains 1500 Thus my public account would stand, according to which I Should have £500 a Year for my 3 Years service. But when I apply my private Account to this I find it more against me. I expended in fitting myself

¹ Probably meant for "deduct."

out at least £1600, including my fees, which may be thus divided: fees £400, Expences of Voyage £300 Expences of Journeys, carriage & living in London & Portsmouth £300 Cloaths Equipage & other trapings of Government £600 So that adding the three last articles to the former one of fees I have Expended in the whole £2400 in qualifying myself for these Governments. There are two articles that may be added to my receipt; the Gratuities received at my accession which were at New Jersey £300 at Boston £225. These are give towards the Expence of removing & settling; & considering that against this be sett the extraordinary expence of two settlings & one removal, they will go far to Answer both, But supposing the least of the sums will Answer these Extraordinary expences, my Account will stand thus.

C ^t The Expences of fitting out &c	1200	D ^t the 3 Years income	2700
The fees of 3 Commissions	<u>1200</u>	The Jersey Gratuity	<u>3</u>
	1400 ¹		3000

After this I need not say that after 3 Years service I have not got a step forward towards retrieving my first Expence: & this is not owing to any miscalculation mismanagement or disappointment but only to the uncommon accident of having so many Commissions to sue out in so short a time.

Pardon me my Good Lord for being so explicit on this subject: It is only to apologise for a request (as I have too often occasion to do) which I have to make that your Lordship would be so good to advise M^t Pownal to whom I have wrote on this Subject whether it may not be proper to petition the Lords of the treasury for a grant on this uncommon occasion; to what may be urged in my favor on this Subject, may be added my Service at the Indian treaty at Easton, which produced immediately the surrender of Pittsburg &

¹ This is a mistake for 2400, but the manuscript is clearly 1400.

soon after the entire reconciliation of the 6 Nations. I have learnt to set a value upon this service, from the great Compliments I have rec^d on this Occasion; but never expected a particular reward nor should have mentioned it in that light otherwise than a make weight to another request. If their Lordships of the treasury will be pleased to grant me £800 (being the fees of two Commissions) they will amply reward me; if they will grant me £500 or 400 I Shall be quite satisfied & thankfull. If this Applicasion Should be approved of, I have desired M^r Pownall to communicate this request to my Lord Halifax, but I did not care to write to him my self, till I was better satisfied about the reasonableness & practability of my request.

I am

Lord Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Mar 3. 1761

MY LORD

As I am well assured that all my honest endeavours to provide for my children will have your Lordships approbation, & assistance too, when it shall be advisable, I need make no Apology for the enclosed. It is the Copy of a memorial which I have sent to M^r Pownall to be laid before my Lord Halifax: at the same time I wrote to my Lord to desire his favorable acceptance of it. And I now am to desire your Lordships kind interposition on behalf of my request, which is sufficiently explained in the memorial.

I think, I have before informed your Lordship, that I considered the opportunities I should have of placing out my

¹ "Bernard Papers," vol. i (Letter Book), p. 302.

Sons among the chief advantages arising from my removal to Boston. This Government the worst supported, considering its importance & trouble, of any in the Kings gift, in its certain income does not exceed New Jersey by more than £300, which is not much more than the difference of the expence of living at one & the other. The opportunities of placing out my Sons now I survey them, I find but few: the Naval office is much the best & is an handsome provision for a person that executes it himself.

Your Lordship will recollect that I've before intimated my desire to have my eldest son settled in business in England: and I do not now mean to determine against it. But it must be observed that His appointment is to be partly reversionary: and We may have 5 years before We shall be obliged to determine. If in that time, He should have an opportunity of engaging in better business, he may quit this office to my second son, who will then be of full age & well qualified for the office. The latter I am now going to put to a Merchant in this town, having given him as much school learning as the Way of live he is designed for will require.

As my two eldest Sons are so much further advanced in life than the rest of my children, It is much my desire to see them well settled in life. For then I shall have provided natural guardians for the rest of my children, in case I should be called away. For this reason I shall in general, prefer such means for their advancement as are capable of the quickest Maturity. The subject of my present request will fully answer that purpose for one of them.

I am

Lord Barrington.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 6th June 1761.

DEAR SIR

I have received so many different letters from you & at so many different times, that I am at a loss which to answer first: but, I must begin, previously to every thing else, with entreating you to pardon my long silence, which admits of no excuse: I will not attempt any, but throw myself entirely on your indulgence, and hasten to Subjects less disagreeable & disgraceful to me.

I am happy to find that Boston continues agreeable to you & M^{rs} Bernard. It is very convenient that Governors should be satisfied where they are, since a removal is so very expensive. I have made enquiries whether any allowance could be made by the Government here in consideration of the expence you have been at, and particularly of the enormous fees paid on the passing of your Patents. I have talk'd to the Duke of Newcastle on this Subject, but I find nothing can be obtain'd; whatever is paid on such occasions, must come out of the Civil List, a fund considerably lessened by the King's moderation when it was settled, and his bounty since: besides great apprehensions of the danger of making a precedent. I should think your best way would be, to get your case properly represented to the Assembly.

I lost no time in soliciting the business contain'd in your Letter of the 3^d of March; and my endeavours should not have been spared, if I had found a possibility of success; but the Office was renewed before Lord Halifax left the

¹ "Bernard Papers," vol ix (Correspondence), p. 209.

Board of Trade, and he had left it near a month before I received your Letter on this subject.

In a former Letter I returned you my best thanks, and my brother's, for the kind present of excellent Fish which you sent us; I take leave to repeat my acknowledgments for it, and for every other mark of your remembrance.

Monsieur Bussy the French Minister, arrived here a few days since, and he is treating the British part of the general peace, with our Ministers: hitherto that negotiation has not made any great progress; but, I have good hopes this Summer will not pass over without giving that repose to Europe, to which it has now been too long a Stranger. We expect every day to receive an account of the reduction of Belleisle.

We are all extremely obliged to M^{rs} Bernard for her kind remembrance of us, and we all join in our best compliments to her and you. I am with great truth & regard

Dear Sir

Your Excellency's

most humble &

most obedient Servant

BARRINGTON

His Excellency

Governor Bernard

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON. June 6, 1761

MY LORD

I take the first opportunity to congratulate your Lordship on your advancement to the treasury, which as it adds to your Dignity, will, I presume, also contribute to your ease; at least, in comparison to your former Employ, I must also beg the favor of your Lordships Mediation, to present Our Compliments to M^r Sh.——Barrington & Lady Diana, & to assure them that we wish them all possible happiness; which We persuade ourselves, that We can, without running any risk of being thought false prophets, almost positively assure to them.

I wrote to your Lordship the beginning of March last on the Subject of the Naval Office of this province, desiring your Lordships Assistance to get Executed an agreement between me & M^r Pemberton to get a Grant of that office (by sign Manual) to him & my Eldest son Jointly. Whilst we were sending these papers from hence, A sign Manual of the Office to him alone passed at London & was received by him to day. He is notwithstanding, desirous not to carry this into execution, but to wait for the Joint Appointment, which we have requested, He is willing that the Governor should be more intrested in the Office than he has hitherto been, being sensible that it will turn out to his advantage so as to ober balance the concssions made to my son, He has therefore proposed to let the present Sign Manual lie dormant, in Expectation of another according to our Joint request

As this business is now become only an affair of consent of parties, I hope there will be no great Difficulty in it: The

¹ "Bernard Papers," vol. i (Letter Book), p. 313.

settlement of it upon the terms proposed, altho' of no immediate advantage to my family, I consider as a considerable Security in Case of Accident.

I have many things to write to your Lordship upon: which I wont anticipate: as sufficient to the letter is the trouble thereof.

I am with the greatest gratitude & respect,
The R^t Honble Lord Viscount Barrington.) My Lord &c

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Augst 10. 1761

MY LORD

When I first arrived at This Town I received from your Lordship a recommendation of M^r Barrons Collector of this Port; upon which I assured him that I should take a pleasure in obeying your Lordships commands by serving him I soon found that the best service I could do him would be to advise him concerning his public conduct; & the duty of my Office making it quite necessary, I was soon given to understand that I had so far incurred his displeasure, as to be thought deserving a formal opposition to me & my Government. The injuries and insults I have received from him & his party make apart of a long story which has been already communicated to Lord Halifax & Secretary Pownall; & must now if it has not Already, be made public.

I should not have troubled your Lordship on this Subject if It could have been avoided. But M Lechmere the Surveyor General having Suspended M^r Barrons from his Office, & having sent away the articles exhibited against him together the proofs taken in support of them, as also some fresh charges

¹ "Bernard Papers," vol. ii (Letter Book), p. 2.

to the commisioners of the Customs; & having prepared another set for the Lords of the Treasury I find this business must come before your Lordship in your public character; & therefore beg leave to use the access your Lordships has allowed me to have to your private station

I have wrote so much upon this subject that I am quite tired of it; but if I was ever so much disposed to write on, I could not give your Lordship a better information of the part I have acted, than by the copies inclosed. The I is a Copy of my declaration by way of Evidence, which is among the proofs. The II is a Copy of a letter I wrote to Lord H. As this contains little more than plain Narrative, I presume I am not wrong in sending this Copy to your Lordship. If there is any danger of my being blamed for it, your Lordship will keep it to your self. The III is a copy of a letter I now write to the Lords of trade. The subject matter would have made it more properly addressed to the Lords of the treasury, if the regulation of My Correspondence had not directed me to apply myself to the Lords of Trade. your Lordship will consider this as designed only for your own private information, untill It shall be formally transmitted from the board of trade. Among the papers sent by M^r Lechmere (Copies of which I have sent to the board of trade) you will find agood deal more matter than what I now trouble your Lordship with.

Ever since the commencement of these disturbances which is now near 12 months I have been ready & desirous to take hold of every oppertunity that offerred to compose these troubles but have not been able to do any thing towards it The defence of my self & my Authority as well as of the Court of Admiralty & the Custom house. has found me full employment.

A few weeks ago some Gentlemen applied to me in behalf of M^r Barrons, desiring I would intervene in his favor. I told them that the actions he had brought against M^r Lechmere M^r Craddock & M^r Paxton were such open acts of his setting at defiance the King Authority under which he was placed by his office, that I could do him no service, whilst he persisted in maintaining them, but If he would withdraw them, I would waive all resentment, of my own, (altho' some injuries I then mentioned them were Very fresh) & immediately treat with them about what could be done for M^r Barrons. They used their endeavours to persuade him to comply with this preliminary, but could not prevail

It has been no small part of my Concern at being thus embrangled in this dispute, that It may tend to impeach a Character which I have borne thro all my life & which I own I am proud of, that of a good natured Man. I very much regret that the unreasonable Man has made the censuring him necessary to my defence & part of my duty. Without these considerations I could wish him all the good he desires: I heartily wish he had a place of twice the Value any where else: and I have often wished that I could consistently with my duty recomment his being restored to & continued in this. But I dare not make my self answerable for such a representation: the same prejudices passions & connexions that I have had so much reason to complain of, still seem to prevail.

I shall take the first oppertunity to lay before your Lordship a state of the Custom house in this and the Neighbouring Governments; from whence will plainly appear the Causes which have induced the Merchants of this port to be less disposed to Obey the Laws of Trade than they have hitherto been. The Remedies for these inconveniences will be very

obvious & I hope as practicable; & like to be attended with very good consequences. But this I must defer to a further time.

The R ^t Honble ———	}	I am with great respect,
The Lord Visc ^t Barrington		My Lord your Lordship's & &c &c

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON August 28. 1761

MY LORD

I am extreemly obliged to your Lordship for you kind letter of the 6th of June: whilst I return my thanks I must again apologise for the trouble I gave your Lordship on account of the fees. I was very diffident of the propriety of the application & trusted more to your Lordships Benignity than I depended on the Singularity of the Case; which pehaps may still have some weight, when your Lordship's kind attention to us shall favor some other request. I mentioned to your Lordship before how Very inequal the Income of this Government was to its business & importance, with a View to excuse my self for being so Solicitous for providing for my Sons by places. To come to particulars, the Salary is 1.000 the fees at most 100, to which if the Annual Value of the Governor's house is reckoned (which would be highly estimated at 100) the — Government is worth at the most 1200 a year. As for the share of seizures which, if the Authority of the Custom house is maintained, would be worth reckoning, in the present state of the Custom house, It is a profit neither to be expected nor wished for. Nevertheless I can Assure your Lordship that I am quite pleased with my being

¹ "Bernard Papers," vol. ii (Letter Book), p. 4.

placed here, as the advantages I may hope to gain for my Children will make good the deficiency of the income.

For these reasons I hope your Lordship will excuse me, if I still wait in expectation of a favourable Event to my request concerning the Naval Office. I wrote to your Lordship on this Subject the very day of the date of your Lordships letter now before me, wherein I informed, that M^r Pemberton had received a sign Manual, yet he was very willing to let it lye by to give me an opportunity to procure another in the manner I have proposed, being still desirous that our Agreement should be carried into Execution. I added that as this business seemed to be an affair of consent of parties, I hoped it would meet with no difficulty. That there may be no doubt in M^r Pemberton's behalf, he proposes to write to M^r Pitt to acquaint him that he has not put in execution the former Sign Manual & is very willing that another should be issued in the Manner I have desired. I shall write a short letter to M^r Pitt my self, which I beg leave to inclose to your Lordship to be delivered to him or not as your Lordship shall Judge fit.¹ My pretensions to this favor will be more effectually represented by your Lordships than they can by me. I hope the expectation of the place after M^r Pemberton's death will not be thought of any great Value as to be opposed to my request; for I can Assure your Lordship that his health & Vigour promises many more years.

M^r Pemberton has brought me a letter from him to M^r Pitt, as also one to your Lordship. He has acted with great Candor in this Affair; and I think my self obliged to him what ever the Event is.

I am with great gratitude & respect,

My Lord Your Lordships &c.

The R^t Honble the Lord Viscount Barrington)

¹ First written "think fit."

GOVERNOR BERNARD TO LORD BARRINGTON¹

CASTLE WILLIAM Sep 27. 1761

MY LORD

Last night I rec^d your Lordships favor ² of the 11th of July as also the duplicate of that of the 6th of June, the original of which I have received some time ago. Upon the receipt of the former of the 6th of June, I had a conversation with M^r Pemberton; when (observing to him, that tho' he had signified his consent to a joint patent by many letters wrote before he knew that a sign manual was issued to him alone, yet since that, He had only Signified such consent by a letter to M^r Alderman Baker, & that probally M^r Pitt would Expect a letter to himself) He wrote a letter to M^r Pitt for that purpose;³ which together with another from M^r Pemberton to your Lordship, one of mine to your Lordship, another to M^r Pitt & a Copy of the memorial which I before sent to your Lordship, I enclosed in one cover & sent it enclosed again in a large packet to the Lords of Trade by the Chesterfield Man of War Cap Scaife, The Captain himself took it in charge & sailed for England sep^r. 3. This contains all the papers required by your Lordship in your last, & as they go by a 50 Gun ship, I hope no inconvenience will arise from my not having provided duplicates.

I was very sorry to find myself obliged to trouble your Lordship with the papers contained in another cover sent by the same conveyance, relating to the contest between the Merchants & the Custom house, But as this business must inavoidably come before your board, I thought it would be agreeable to your Lordship to have some preuius knowledge of the Affair I propose soon to write to your Lordship on the subject of the

¹ "Bernard Papers," vol. ii (Letter Book), p. 111.

² First written "letter."

³ First written "subject."

present state of the trade of this Country, possibly to more purpose than giving details of Custom house Squabbles.

I have not the honor of being personally known to Mr Pitt: and it was my misfortune to be prevented paying my duty to him in person, before I left England, by his indisposition, I should think a great honour, if your Lordship would recomment my service to him. My previous Studies in England & my attention to the Kings Service in N America, have induced me¹ to turn my thoughts upon the political state of this country,² to which my different stations have not a little assisted.³ If after a peace a general disquisition of the constitutions of the several Governments here, — should take place as it is much expected, I should be very proud to be of the least use in such a work.

I have received a letter from my son wherein he acknowledges his negligence in not waiting on your Lordship before he went to Oxford. I hope your Lordship will excuse the inadvertency of youth: I persuade myself that he has not ingratitude in his nature however his carelessness may make him appear so.

I beg your Lordship will make our Compliments to the ladies & all our friends acceptable. I am with the utmost gratitude & respect. My Lord your Lordships most obedient &c

PS If a sign Manual should be prepared,
I must desire your Lordship will give
notice to *W^m Bollan Esq in Liecester Square*
to sue it out, pay the fees & transmit it.
I shall write to him on the occasion

R^t Honble Lord Visct Barrington

¹ First written "have given me great opportunities."

² First written "the several provinces."

³ Followed by "me," then crossed off.

LORD BARRINGTON TO GOVERNOR BERNARD ¹CAVENDISH SQUARE 12th Dec^r 1761.

DEAR SIR

I have received two very large Packets from you, one concerning M^r Baron, the other relating to the application made by you and M^r Pemberton. As to the first, I have the pleasure to acquaint you that M^r Baron is turn'd out with the entire approbation of the Treasury, Board of Trade & Customs. The latter has been directed by the former to send as Successor to M^r Baron, the very best Officer they can find within their Department.

I have strongly recommended the other affair to Lord Egremont M^r Pitt's Successor, to whom I have delivered the Letters for M^r Pitt, transmitted to me. His Lordship is very well disposed, and I make very little doubt of your request being granted; but I could not get things brought to a conclusion before the departure of this Packet. I have delayed this letter till the last day, in hopes of sending you some good news, and I am now so busy that I cannot answer at present the most obliging letter from M^{rs} Bernard for which I beg you will make her my best acknowledgments together with my best compliments, in which all my family join. I can only add that I am

Dear Sir

Your Excellencys

most humble &

most obedient Servant.

BARRINGTON.

His Excellency

Governor Bernard

at Boston New England

¹ "Bernard Papers," vol. ix (Correspondence), p. 233.

GOVERNOR BERNARD TO LORD BARRINGTON¹

MY LORD

BOSTON Oct 20. 1761

The Cover of this encloses the duplicate of a Letter I wrote to your Lordship on the 27th of Sep^{br} the day after I rec^d your favor of the 11th of July: the Original is on board the General Wall packet boat, which sailed from NYork

The time between my receiveing your Lordships Letter & dispatching my Answer to it would not afford an opportunity of seeing M^r Pemberton But upon my talking with him soon after & shewing to him that possibly M^r Pitt may expect a more formal signification of his consent, than what his letter contained, it was agreed to transmit to your Lordship a duplicate of the agreement with an addition thereto signifying M^r Pembertons still adhering thereto This I now enclose & must now conclude this, uncertain whether I shall be able to write to your Lordship on other Subjects by the same ship waites only for wind. I am with great respect

My Lord your Lordships

R^t honble Lord Vis^t Barrington)LORD BARRINGTON TO GOVERNOR BERNARD²

DEAR SIR

CAVENDISH SQUARE 14th January 1762

I was in hopes by this Packet to have given you an account that the affair between you and M^r Pemberton, had been settled in the manner desired; and I know that Lord Egremont both from his willingness to oblige, and his long uninterrupted friendship for me, was very much disposed to do it. I now find he has scruples which cannot be removed; they

¹ "Bernard Papers," vol. ii (Letter Book), p. 16.² "Bernard Papers," vol. ix (Correspondence), p. 245.

regard two points: One is, the making a joint Grant; The other, your Son's being under age. He has promised me, that when time has remov'd the last objection, he will, in case he then holds the Seals, give the Employment to your Son, the moment it becomes vacant, either by death, resignation or otherwise. I am sorry the thing has not succeeded, but I cannot think Lord Egremont in the wrong, tho' perhaps there may be precedents the other way. His Lordship has promised to write me a Letter on this Subject, which may be of use hereafter with his Successor in case he should not hold the Seals three years hence. In a former Letter, I acquainted you with the removal of M^r Barones, but I think I did not add that he was removed entirely in consequence of representations from the Boards of Trade & Customs. I never said one word upon the Subject, which I thought would be unfair on account of my relation to you.

I am to return you a thousand thanks for the Fish you so obligingly sent me, and to M^{rs} Bernard for the instructions I have received from her, as to the manner of dressing it: I beg you will present my best compliments to her. I intended to have wrote an answer to her most obliging Letter, but as I write to you, it would be an unnecessary trouble to her.

I hope in the course of this Summer, I shall be able to prevail on your Son to come sometimes to Beckett. My Brother Shute has had the good fortune to get a Cannony of Christ Church, which I hope will not be a disadvantage to Our Cousin. All your friends are well & present their comp^s to you & M^{rs} Bernard. I am with the greatest truth & regard.

Dear Sir

Your Excellency

His Excellency

Most faithful

Governor Bernard

humble Servant

BARRINGTON

GOVERNOR BERNARD TO LORD BARRINGTON¹BOSTON Dec^r 14. 1761.

MY LORD

I am favoured with your Lordships of the 28th of August. The trouble I have given your Lordship about the Naval Office has been greatly increased by the difficulties w^{ch} attend explanations at a distance: for it has more than once happened that your Lordships letters & mine on the same subject have crossed the sea about the same time & possibly before I rec^d this last your Lordship may have found in my Letters matter sufficient to remove the difficulties which this affair has laboured under.

I wrote to your Lordship by the Chesterfield man of War inclosing all necessary papers with Letters from M^r Pemberton for your Lordship & M^r Pitt. I wrote again by the packet Boat which Sailed in Oct^r last; & I sent a duplicate of the last letter (together with a duplicate of the agreement with M^r Pemberton & a supplement to it signifying his consent to the new grant as proposed) by the Lucretia Snow I also sent another part of the agreement by the Adventure Snow So I apprehend that your Lordship has all necessary pappers now by you.

As for Objections against an appointment in joint Names, I was always aware of them & endeavoured to obviate them in my Memorial, which I suppose M^r Pitt had not seen when he made the objections. My arguments in favor of ajoint appointment arise from the office having usually been granted so, for which I alledged the appointment immediately preceeding M^r Pembertons which was to two. And I understand that in all public offices in London where there has been an

¹ "Bernard Papers," vol. ii (Letter Book), p. 18.

usage of granting to two, an office may be granted to one or two at pleasure. For this there are frequent precedents in the Custom house Exchequer Chancery &.

I believe I have not mentioned the reason of my being so desirous of having this Affair settled in a public way. I know very well that reversionary promises of Offices in America are now very much solicited I have particular advice that there are some people in pursuit of this very office. and I can form to my self no adequate Security against a surprise but an Actual Grant. A Promise of the Secretary of State extends only to himself; and if it is not to be executed till M^r Pembertons death, the office probably will be in anothers disposal, at that time: to guard against which it will be necessary to make a fresh application whenever there is a Change in the Secretarys Office.

As my Son is to have no intrest in the Office till sep 1764 I could have no objection to letting the Office, continue, as it is, to that time if my life & Continuance in this Governments were certain & if this delay would remove the difficulties now started, But in regard to the first, the Number of my Children makes me desirous of leaving as little to the hazard of my life as I can¹ And as to the latter, the same difficulties will remain, if they can not be obviated now If a Joint appointment should be thought exceptionable then I shall not be able to contrive an appointment to one that will answer my purpose. For If M^r Pemberton is to be the Grantee' it will give me no power over nor much dependance upon the reversion. And if I should ask M^r Pemberton to let my Son be the Grante'e I know not what Security I could give him to indemnify him if my son should die before him. Besides, I have thought it advisable to press the dispatch of this business

¹ First written "possible," then changed to "I can."

now, because as M^r Pemberton's Age & health are now, The Reversion of his Office is of little or no Value to the present Secretary of state, But as his Age increases & his health impairs, the Reversion will become an object of much more Value than it is at present, & therefore more hard to obtain.

I have another reason to desire that the grant may be made in the Manner requested which is that it will put an end to your Lordships trouble, which has already been more extended than I flattered my self it would be when I first made the Application, which I considered to amount only to this, for leave to make such a grant of the Office as my predecessors have been used to make, with the consent of the present possessor of the Office M^r Pemberton has been so good as to allow me to defer the issuing his patent as long as I shall see occasion. I shall therefore wait untill the papers I sent by the Chesterfield &c shall have had their Effect.

I have the highest sense of your Lordships continued favor & Am with great respect My Lord

Viscount Barrington Your Lordship most obedient &c

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Dec 15. 1761

MY LORD

In a letter dated yesterday I acknowledged the receipt of your Lordships of Aug 28 & have therein submitted to your Lordship all that occurs to me to be wanting for the determination of that affair: to which I need only add that any resolution on the subject will be agreeable to me, as it must, at all events, afford a fresh instance of your Lordships kind concern for me & mine. I can truly assure your Lordship

¹ "Bernard Papers," vol. ii (Letter Book), p. 21.

that your friendship is the cordial of my life & contributes more than any thing else (except my own conscience) to support that Spirit & Resolution, which the due exertion of the powers that are here committed to me, requires. My friends in this Country find another advantage from my connexion with your Lordship: they say that your Lordships family has been allways the patrons of this Country; (for at the present the Memory of Gov' Shute is truly honoured), and there it is happy for it that it has now the Means of an easy access to your Lordship.

In a former letter of the 27th of Sept last I desired your Lordships general recommendation of me to M^r Pitt: I must now request the like introduction of me to Lord Egremont. I presumed to think that when a Revisal & settlement of the political state of N America should have a place in the British Councils, I might possibly be of some service. This self-flattery has not had its rise from any extraordinary opinion I have of my own ability, but upon a reflexion upon the particular circumstances of literature & professional standing that have directed & enabled me to make a more critical survey of the politicks of N America, than can be expected from the generality of those that are sent here with a public Character.

But the time of peace, which must preceed the regulation of the North American governments, seems now at a greater distance than ever. Never the less, as they may happen in the course of this Winter a change in the present intractability of our Enemies which may bring about a peace, when it is least expected, I will add a few more lines to what I have before wrote on this Subject

There is in my opinion no System of Government in N America that is fit to be made a module of. The royal

Governments are faulty in their constitution as well as the popular; of late they have given more instances of it than the latter. If therefore there should be a new establishment of the governments in N America upon a true English-constitutional bottom, it must be upon a new plan: and upon the formation of it will depend all the Ease or Difficulty of the Work.

It will be readily apprehended that the greatest difficulty will be with the New England charter Governments. I am willing to admit this for the sake of the conclusion that follows from it. But I do not think there will be much difficulty in the New England Governments; and yet will readily conclude¹ that upon such a supposition it will be best to begin with those Governments. In Rhode Island the sensible people neither expect nor desire that their charter should be continued. In Connecticut I have heard it frequently mentioned without contradiction that it would be better for the people & most agreeable to the thinking part of them to have a royal Governor rather than the present elective one. And for this Province; its constitution by charter & its strict observance of the stipulations contained therein on behalf of the royal prerogative. make it, in my opinion, better disposed to a more perfect establishment than any Government I am acquainted with, either Royal or other. I therefore conclude that when ever a New establishment of Government in N America shall be thought advisable, New England is the proper place to begin in

Whenever this subject shall be brought on the tapis I must again repeat I shall be proud to offer my Service. If It should be accepted, I shall readily obey an order to attend in person. In such case that there may be as little loss of my emoluments here as possible, It would be advisable that the

¹ First written "admit."

order might be so timed, as not to be known here, till after time of settling the support of Government which is in the beginning of June in each year. In a letter, which I hope to send to your Lordship on the subject of the trade & Customs of this Country, I shall have occasion to mention some particulars that may be of great service to the regulation of the American Governments whenever it shall be undertaken: tho' according to our last advices from Europe, these considerations seem to be ill timed.

a paragraph on Gen^l Whitmore's death & funeral

A paragraph on the Voyage to Newfoundland.

I am &c

Lord Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Jan 12. 1762

MY LORD

The packet which is to enclose this having been detained beyond expectation, I find my self obliged to add another letter upon a subject with which I hoped I should not have had occasion to trouble y^r Ldshp again I mean M Barons.

In my letter of Aug 10 sent by the Chesterfield Man of War, I acquainted your Lordship that some Gentlemen had applied to me in behalf of M^r Barons desiring I would intervene in his favour. I told them that² the Actions he had brought against the Surveyor general &c were such open acts of his setting at defiance the Kings Authority that I could do him no service whilst he persisted in them: but if he would withdraw them I would immediately enter into a consideration of what could

¹ "Bernard Papers," vol. ii (Letter Book), p. 24.

² Followed by "if," then crossed off.

be done for him. They urged their endeavours to persuade him to comply with this preliminary, but could not prevail & thereupon gave over their Negotiation. I can only add that it was then my intention, if he would have given Any proof of his disposition to return to his duty to have assisted him to have retrieved his credit & recovered his office.

When M^r Temple the Surveyor general came here (about 6 weeks ago) he brought with him the most favorable intentions towards M^r Barons & had I believe, predetermined (as much as he could without knowing the Case) to restore him. But when He came to be acquainted with the nature of his offences and the proofs of them, & understood that the whole process had been laid before the Lords of the treasury as well as the Commissioners of the Customs I suppose he found the affair was gone too far to be accommodated here. Nevertheless, as I saw M^r Temple was desirous to favor M^r Barons, I told him that, if he could persuade himself that M^r Barons might be restored with safety to the Government & Security to the King's offices I would concur with him in proper means for it. I know not now what M^r Temples Sentiments are; but understand he will wait for orders from home, he having just now appointed a new temporary Collector

As I have hitherto acted chiefly on the defensive I have preserved great moderation toward M^r Barons, of which the two forementioned are not the only instances. And yet this Man is now forming a plan to engage me again in dispute with the Assembly & to libell me in the public papers. His former attempts of this kind, which by Vigilance & discretion I have heretofore defeated I have endeavoured to forget, hoping that his late Censure would bring him to his Senses. But I am just now informed of these new attempts by a Gentleman of undoubted Credit, to whom M^r Barons of his own accord

communicated the particulars of the Scheme to inflame the Assembly, & read over the whole of the libell against me (being a bundle of personal invective & improbabilities) which he had prepared for the press. He added that he had engaged the best writer in Town to write against me & assured him that I should not be Governor of this province one year longer : and, that M^r Hardy would be Governor here.

As this is the Case I can not keep myself from declaring, that I have no longer any hopes of the Governments of this province being maintained in dignity & peace whilst M^r Barons has an office in it. At present The Governor L^t Gov[~] All the Judges of the Superior Court the Judge of the Admiralty & his officers, all the officers of the Customs the Kings Authority in general & the Court of Admiralty & Custom house more particularly are the Defendants & M^r Barons & Co Assailants. If M^r Barons has any merit there is room enough for rewarding it without fixing him here. But I can not think He is of consequence enough to expect to have the peace & welfare of this province sacrificed to his Caprice and Malevolence.

I am &c

Rt Honble Lord Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Febyry 20. 1762

MY LORD

I have just now received your Lordships favor of Dec. 11 which much increases the great sum of our obligations to you it has given me great concern that I have been obliged to trouble your Lordship with such quantitys of paper : And I could have been glad to have Stopt a letter which I sent to NYork

¹ "Bernard Papers," vol. ii (Letter Book), p. 27.

about a month agoe, which was wrote before I had any advice of the resolutions taken in regard to M^r Barons ~ It contained an Acco^t of his intention to embarras me with the House & to libell me in the papers. But both those purposes were soon defeated: His petition was rejected by the House & his libell was refused by the Printers So I hope I shall never again after this letter, have occasion to name his name to your Lordship.

The ferment in this place begins to subside: M^r Barons has withdrawn two of his own Actions & been nonsuited in the third and I hope means may be used to prevent the other two from troubling the privy Council. The contests in the General Assembly begin to abate: I have been no party to them since the meeting of the present Assembly in May last; Since that time I have been chiefly a Spectator of Disputes which I could not prevent: but if I have the general credit, which some of both partys flatter me with I shall hope to be an effectual mediator between them. When I consider what a deal of trouble I have had in this government, it sounds very odd to me to be told that there is not one Member of either house that is not friendly to me. But I am not on so good terms with the merchants: some of them have been above this fortnight preparing papers to be sent home, which, I believe will Answer no other purpose than to keep up the remembrance of things which they should desire should be forgotten. Some few of them labour hard to get some clauses reflecting upon me included: but I can't blame them; for if it had not been for me, there would have been now neither Court of Admiralty nor Custom house here

Not but that the merchants here want redress in regard to Several of the Laws of trade: but they don't use proper means nor take the proper time. I tell 'em again & again that

they must wait for the Conclusion of peace before they can ask the ministry to Set about Civil regulations: and assure them that at such time I will assist them to the Utmost of my power. It is with this view that I have so long intended to lay before your Lordship a State of the Laws of trade in America & the necessity of altering some of them &c: which I still hope to do before it is wanted —

We find this Country to agree very well with us & in general enjoy good health I have Seven of my Children now with me my Second son is to be put under a merchant here next month. I expect my eldest son (upon a visit in order to Settle the further plan of his Education) this next Summer. He writes me word, he has been at your Lordships door Several times. He shall take care to Signify to your Lordship the time proposed for his departure by a line. He returned to school at the Coronation & became a Kings Scholar again. We are pleased here with the Appearance of Spring: I long to get to the Castle, notwithstanding the narrow escape I had last Year, with the Additions & improvements I have made, It is the prettiest summer residence I know: and it is the only place where I can read & write to any purpose but business —

I herewith enclose the printed Account of a publick Audience I gave to an Indian an orator, a Councillor & a warrior; & my friend. He was a principal Manager at the Treaty at Easton in 1758 & from thence Joined Gen^l Forbes & was the first that entred Fort du Quesne after the French abandoned it. He commanded the English Indians at the Battle of Niagara, afterwards Attended Gen^l Amherst to Montreal & now having nothing to do, He travelled 400 Miles to visit me I took hold of the opportunity to pay a Compliment to the 6 Nations & therefore gave him a publick Audience to Authenticate his dispatches. This I did more out of regard to the King's

Service in general than any want that this province has of those Indians. And they on the other hand will distinguish between a Compliment unattended with any requisition or expectations of a return & those they are most used to, which are visibly founded upon self Interest & therefore, as they wisely discern no instances of real friendship.

M^{rs} Bernard desires I will express her most gratefull Acknowledgments for your kind care of her & hers. If the political estimate of the value of a Family be reckoned by a combined proportion of the number & usefulness of the persons produced by it, I hope, my children will hereafter be reckoned in the estimate of the family of your Lordships Grand father

I am with due Compliments to the Ladies & all other our friends with great respect.

My Lord, Your Lordships

Most obedient & most humble Servant

My Lord Barrington

P. S. Feby~ 27.. 1762

Since my writing this letter the 4th suit Against M^r Paxton a Custom house officer is ended by the Jury pursuant to Strong recommendation from the Judges finding for the defend^s The 5th Cause I apprehend will be soon ended by the plant discharging the Judgment to prevent his answering in appeal So that the Kings authority is now triumphant in every instance: but in the assembly things are not so quiet as I could wish.

However I have the pleasure to acquaint your Lordship that the assembly has given an evident proof that a personal opposition to me has no part in their dissensions. For this day a vote passed both Houses in the following words

Resolved that in consideration of the extraordinary Services of his Excellency Governor Bernard there be granted to

him his heirs & assigns the Island of mount desert¹ lying north eastward of penobscot bay and that a grant thereof to be laid before his majesty for his approbation be signed by the Secretary & Speaker on behalf of the two Houses.

This Island is distinguished in most maps & is about 15 Miles long & 5 or 6 wide at a medium: it contains between 40 & 50,000 acres among which is some very rich land. I shall visit it this Summer & will then give your Lordship an account of it at present unknown as it is to me I would not take £1000 Sterling for it.

GOVERNOR BERNARD TO LORD BARRINGTON²

CASTLE WILLIAM May 1. 1762

MY LORD

It will be agreable to your Lordship to to receive information that the Disputes which have subsisted here for some time concerning the Custom house officers & Court of Admiralty are subsided; and that in every instance the Kings Authority has prevailed: the Actions which were brought against different officers are all either determined on the side of the Crown or withdrawn. The Act that put the last End to these commotions was my negating a bill which passed both Houses & was intended to substitute a new & very insufficient kind of Writ in lieu of the Writ of Assistance granted to the Custom house officers in pursuance of Acts of parliament. This the Council, greatly contrary to their duty, suffered to come up to me: and as it was a Very popular

¹ The story of Bernard's connection with Mount Desert is told by George E. Street with considerable matter from the "Sparks Manuscripts" in his *Mount Desert, a History*, ch. iv.

² "Bernard Papers," vol. ii (Letter Book), p. 187.

subject, I gave it a more solemn condemnation than it deserved. I ordered the Judges to attend the Council & having there stated the Matters of Law & proposed Questions thereupon I had the Authority of their opinion that the Bill was contradictory to an Act of parliament: I therefore immediately rejected it in open Council. This occasioned a good deal of Murmuring; but there was no room for a Serious objection to my proceedings.

This was at the end of a session in which they had done the Kings business in part only, tho' they had given some assurances that every thing I desired should be done at the next Session. Before the next Session which began the 14th of last Month The Advice of the Spanish War arrived. I therefore ordered the Declaration of War¹ to be published the day the assembly met; & that same day I opened the Session with a speech, wherein I told them they must take care of themselves & should have my assistance therein; but that I should not interfere with their Councils nor would be answerable for them. They immediately & almost unanimously granted every thing that I could ask of them in the amplest manner. At the end of the Session I complimented them in a way that has proved very agreeable to them both within doors & without. So that, at this precise time I am a very popular Governor.

How long this will last I dont know nor pretend to guess. But I have long thought that in general Governors have greatly impaired their own authority by interfering too much in the provincial Councils; & have thereby been obliged to resort to Management & Intrigue to do that, for which they might have had, by a more open way of acting, the Voice of the people. I wont say that this observation will

¹ Followed by "against Spain," then crossed off.

hold every where; but it is plain to me that this is the right policy for this Country. The People here are loyal & public spirited, but jealous of their liberties (of which they form high & sometimes unconstitutional ideas) to a great degree: and therefore the appearance of treating them as Independents (I mean in politicks) is Very agreeable to them. And in so doing, It seems to me that I am strengthening myself; Whilst I am giving them credit for their independency I have a right to insist upon my own. And I do so: It has been the principal object of my politicks, since I arrived here to place my self on a bottom of my own. I had no other choice: When I came here I found the province divided into parties so nearly equal, that it would have been Madness for me to have put my self at the head of either of them. I had therefore nothing to do but to keep myself to my self & maintain my own Dignity.

Your Lordship has here a System of politicks of a very inferior kind to those of that great establishment in which you bear so considerable a part. But the importance of this Country is now well known: & its politicks must also undergo the Examination of the British Councils, as soon as the contentions of Princes will allow time for it

I am with all due regards to your Lordship & our other friends

My Lord &c

Lord Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

CASTLE WILLIAM May

24th 1762

MY LORD

I am favoured² with your Lordships letter of 14th of January which came to my hands not till the 16th of May: like every other it adds greatly to our obbigrations, I quite approve of My Lord Egremonts determination & have the fullest Sense of his favor. The only reason why I pressed the matter so far was, that by carrying³ it into execution now, I could have made it contributory to M^{rs} Bernards Security in case of accidents.

I shall now give M^r Pemberton a patent in pursuance of his sign manual: he has patiently waited for it to this time. I believe he will write to your Lordship to assure you that he shall be ready to carry the agreement into execution whenever proper means can be devised for it; & also to desire your Lordships patronage that you would protect his office, which now extends to all the ports in the province from being partitioned; such a design having been on foot. I apprehend⁴ that after the assurances given by⁵ my Lord Egremont, such a Caution is⁶ unnecessary. Nevertheless if M^r Pemberton should write to this purpose, your Lordship will be so good as to excuse it.

By accounts received from England I think it probable that my eldest son is now on the Sea in his passage to us. I found it very necessary in order to settle the future plan of

¹ "Bernard Papers," vol. ii (Letter Book), p. 190.

² First written "informed."

⁴ First written "apprehended."

³ First written "engaging."

⁵ First written "to."

⁶ First written "in."

his destinations to have an interview with him; & I have obtained the Dean of Christ Church's leave for that purpose, having engaged that he shall lose no time in his studies. And I shall endeavour to keep my word & hope by means of a little leisure time of my own & the assistance of the professor of Mathematicks at the College (with whom I am very friendly) to send him back well advanced in the principles of Mathematicks & Natural Philosophy: in which when he has recieved the finishing polish at Oxford, It will be time for him to fix upon some certian business.

I hope my congratulations to your Lordship & M^r Barrington on his promotions at Christ Church came to hand. I know but of one Vessel with letters of mine on board that has failed & that had only Duplicates,

Our compliments wait on your Lordship & all our friends.
I am. with great respect

My Lord, Your Lordships
most obedient & most humble
Servant

R^t Honble Lord Viscount Barrington,

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON June 7. 1762

MY LORD

Since I sent away the original of my inclosed Letter, M^r Pemberton has delivered me a duplicate of one of his to your Lordship which will go in the Cover with this. He is perfectly satisfied with the declarations of My Lord Egremont to secure his office from the applications of other people. I have before commended his candor in this transaction: I

¹ "Bernard Papers," vol. ii (Letter Book), p. 193.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 11th Septm^r 1762

DEAR SIR

I have received various Letters from you, & one from M^r Pemberton: I have made the proper use of them all. I shall watch every opportunity that offers, and endeavor to employ it for your service. I shall also, if necessary, give any assistance in my power to the Agents you employ about the Grants made to you by the Province, of which I most sincerely wish you joy, both on account of the advantage they will be to your family, and as they are testimonials of the respect & good will borne you by the people of your Government.

I had lately a visit from Cap^t Booth, who asked my consent for his marrying M^{rs} Porter, which I most willingly gave. He told me he intended to settle his fortune first on her, and afterwards on your Children, if he had none of his own, which he did not seem to expect.

We are in full expectation of a speedy Peace; whenever it is concluded you shall have an immediate account from me. I beg you will present my best compliments to M^{rs} Bernard, & believe me to be with the greatest truth & regard

Dear Sir

Your Excellency's

most faithful &

most obedient Servant

BARRINGTON

His Excellency

Governor Bernard

¹ "Bernard Papers," vol. x (Correspondence), p. 15.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 6th October 1762

DEAR SIR

Since my Letter to you by last Packet, M^r Booth is married to M^{rs} Porter, of which he has acquainted me by Letter, assuring me of his determination to settle his fortune in the manner mentioned in my last, to Wit; First on his wife, and then on your children, in case he has none of his own. I beg leave to make my best compliments to you and M^{rs} Bernard on this occasion.

I have seen M^r Jackson, and have concerted with him how I can be most serviceable to you, in case my good Offices should be wanting.

I was in hopes of sending you an account of the Peace by this Packet: I think you will hear it by the next. I am with great truth

I beg leave to add my best comp^s
to M^{rs} Bernard & your Son.

Dear Sir
your Excellency's
most faithful humble Servant
BARRINGTON

His Excellency
Governor Bernard

¹ "Bernard Papers," vol. x (Correspondence), p. 29.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 11th Septm^r 1762

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I have received various Letters from you, & one from M^r Pemberton: I have made the proper use of them all. I shall watch every opportunity that offers, and endeavor to employ it for your service. I shall also, if necessary, give any assistance in my power to the Agents you employ about the Grants made to you by the Province, of which I most sincerely wish you joy, both on account of the advantage they will be to your family, and as they are testimonials of the respect & good will borne you by the people of your Government.

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your Excellency's
most faithful humble Servant
BARRINGTON

His Excellency
Governor Bernard

¹ "Bernard Papers," vol. x (Correspondence), p. 29.

GOVERNOR BERNARD TO LORD BARRINGTON¹CASTLE WILLIAM Aug. 30th 1762

MY LORD

As I have given your Lordship a false Acc^t of the french force at Newfoundland, as it was reported at the beginning of the Alarm, I must endeavour to make you amends by a more true Account now. The french fleet Consists of the Robuste 74 guns Eveille 64. guns Licorne 36 & a transport with 26 or 30 guns (no matter which) called the Garrone. The ships are extreemly ill maned with Sailors, but the land forces are very good consisting of 900 Granadiers & 300 Marines. They have fortified S^t Johns & propose to keep it this winter depending, no doubt, upon the seasons not permitting a relief from England or the West Indies. But they will find themselves mistaken. Upon the Antelope arriving at Placentia & joining the Sirene there, & the Gosport arriving at New York & being ordered to Halifax I sent our Province Ship the King George (a complete 20 gun Frigate) to Halifax. And my Lord Colville immediately After, on the 10th of August, sailed from Halifax with the Northumberland Gosport & King George to join the Antelope & Sirene & proceed to S^t John's to block up the french fleet there. In the mean time Gen^l Amherst has fitted out a land Armament under the Command of Col Amherst of Sufficient force to attack S^t Johns by land: and I expect every day to hear that they are sailed from Halifax to Join Lord Colville so that we hope to have a good Account of the French fleet & Army before Winter sets in. It happened that Lord Colville left Halifax

¹ "Bernard Papers," vol. ii (Letter Book), p. 207. There is no address on this letter, but it is clearly to Lord Barrington. See Governor Bernard's letter of Oct. 20, 1762.

before he received Advice of the land Armament being forming: but such measures have been taken, that this is not like to create any disappointment or delay in the execution of the scheme. I mean not to make myself Answerable for Consequences, but think that this expedition has a very promising Appearance: & therefore take the opportunity of a Snow sailing for Bristol to inform your Lordship of it.

I am with great respect

My Lord Your Lordships most &c

&c

By the Snow Bristol packet

sail^d Sep. 4

PS. Sep 14th

Sep

I take this opportunity of a Brigs sailing from this port for Bristol to transmit to your Lordship this duplicate & at the same time to inform you that Col. Amherst with the land forces saild from Halifax on the 26th for Newfoundland: as it is now 5 Weeks since Lord Colville sailed for S^t Johns & I have heard nothing from the Captain of our ship I Conclude that they arrived at S^t Johns time enough to block up the french there: & if the Sufficiency of their strenght was doubtful before I hope it will be put out of all doubt by the junction of the Enterprize lately arrived from the Havanna & with the Addition of some troops just returned to New York.

I beg leave most sincerely & heartily to Congratulate your Lordship upon the Reduction of the Havanna a Conquest more great & Important than living memory or British History can Afford.

Duplicate & P. S By the Brg Rain bow
potberry for Bristol sailed

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE NOV. 13, 1762.

DEAR SIR,

I have now the Pleasure to congratulate your Excellency on the conclusion of a Peace with France and Spain signed the 3^d Instant at Paris by the respective Ministers of those Crowns & by the Duke of Bedford. They have been ratify'd already here, & I beleive in France; & there is no doubt of their being ratify'd by Spain as soon as possible. I have not seen any Copy, but the Paper herewith inclosed (publish'd in one of the News Papers) I believe contains pretty nearly the truth. I think the Peace a good one, & hope others will be of that opinion. I am with my best Comps to M^{rs} Bernard & my Cousins

Dear Sir

Your Excellency's

most faithful &

obedient Servant

BARRINGTON

GOVERNOR BERNARD TO LORD BARRINGTON²CASTLE WILLIAM Oct. 20th 1762

MY LORD

By a Letter dated Aug^t 30 & a postscript added to the duplicate thereof I informed your Lordship of the measures which were taking for the recovery of S^t Johns by an immediate armament from the continent: and happily it has the success which I then flattered myself with. When the French arrived here, — this Coast was Very defenceless: & yet it could not be regretted, Since it was occasioned by the

¹ "Bernard Papers," vol. x (Correspondence), p. 33.² *Ibid.*, vol. ii (Letter Book), p. 219.

Assistance which North America gave to the Expedition against the Havannah without which it could not have succeeded. & therefore if the taking St Johns had been more detrimental than it was; it would be but fair to ballance it with the Havannah. The French Commander, upon his arrival at Newfoundland, declared that he knew there was no Man of War upon the Coast but the Northumberland: in which, if he meant to confine himself to Halifax, he was not mistaken. He therefore thought himself safe in determining to hold the place thro' the Winter concluding that no Armament could arrive from England or the West Indies time enought before the Winter was set in; and that North America was unable to fit out one: but in the latter he was disappointed. The Sirene of 20 guns arrived upon the coast of Newfoundland about the same time with the french fleet, & soon after the Antelope of 50 guns arrived & escaped the Enemy. These rendezoused at, Placentia. Soon after, the Gosport arrived at N York with a Convoy & immediately after, sailed for Halifax. I had kept our Province Ship the King George (a complete 20 gun frigate & then in Very good order) in readiness to join Lord Colville, & upon hearing the Gosport was Sail'd from NYork I ordered the King George to Halifax; which arriving a few days after the Gosport Lord Colville immediately sail'd to join the Antelope & Sirene & face the Enemy. The Naval Force stood thus

	GUNS		GUNS
French Robuste . . .	74	English. Northumber-	
Eveille . . .	64	land . . .	64
Licorne . . .	36	Antelope . . .	50
Garonne . . .	26	Gosport . . .	40
Grammont . . .	16	Sirene . . .	20
	<u>216</u>	King George .	<u>20</u>
			194

In the mean time a land Armament was preparing, tho' with so much Secrecy that Lord Colville was not acquainted with it when he sail'd. This was under the command of Col. Amherst, & formes another ballance of Land Forces

French. Granadiers of	English. Regulars . .	900
France . . . 900	Provincials of	
Marines . . . <u>300</u>	Massachusets	
1200	Bay . .	<u>500</u>
		1400

Irish recruits uncertain

Artillery not reckoned :

chiefly on board the Ships

With this force, in which the besiegers very little exceeded in number the beseiged, has this place strong by nature, made stronger than ever by additional fortifications, & defended by, what the Enemy called, the best troops of France, been taken. The Sum of the french prisoners with that of the killed added thereto is very near equal to the whole Number of the English Regulars. But We must make due allowance for the provincials; one company of which being light Infantry & joined to the same corps of regulars was no ways inferior to them in driving the french from the severall out posts which they endeavoured to maintain. Two days after the Place was taken arrived 4 Men of War from England: So that this Expedition was favoured to the last by the whole honor of it being preserved entire to the first adventurers.

As I had before informed your Lordship of this Expedition, I have thought proper to conclude the History of it.

I am &c

The Right Honble The Lord
Viscount Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

CASTLE WILLIAM Oct. 21 1762

MY LORD

At the desire of M^r Pemberton, Naval Officer throughout this Province, I am to inform your Lordship that he is apprehensive that A Gentleman lately gone from hence professedly to get A Place in this Country by appointment from England, has a design upon that part of the Naval Office which lies in the port of Salem: & therefore He begs the favor of your Lordship under whose patronage he considers his Office to be, to bespeak my Lord Egremont's attention, that such an application, if it should be made, may be duly considered I dont apprehend that there is any probability of such an attempt succeeding, but by the means of misrepresentation or misapprehension: & therefore I Should think that it would be quite sufficient to Enter a Caveat with M^r Wood. Indeed I Should not have troubled Your Lordship with this, but that I could not refuse M^r Pemberton in assisting him in Such acts of Caution, which he Shall think proper to take

I am &c

The Right Hon^{ble} The Lord Viscount BarringtonGOVERNOR BERNARD TO LORD BARRINGTON²CASTLE WILLIAM Oct 30th 1762

MY LORD

I have the pleasure to inform your Lordship that my eldest Son arrived here safe on Tuesday last. He received your Lordships favor with a letter to M^r Cleveland to procure him a passage in a Man of War: but a Ship ready to sail for

¹ "Bernard Papers," vol. ii (Letter Book), p. 223.² *Ibid.*, p. 221.

NYork offering, he thought it best to save time by going on board her. On this side the Madeira he shifted himself on board a Ship bound for this port & came directly hither. I fear I am blamed by my friend in England for engaging him in such a Voyage merely for a Visit as they may call it: But I see it in a stronger light. It has seemed to me absolutely necessary at this most critical time of his life to explore his genius, so as to direct his studies & farther pursuits to proper objects. Parts He by no means wants, & he has hitherto not being deficient in acquiring such learning as has belonged to him: but judgement in choosing his Walk of life & steadiness in keeping in it he has Still to gain. To settle this & to initiate him in Mathematicks & Natural Philosophy, so as to make those studies pleasing to him, will be our business for the 9 or 10 Months in which I propose he shall stay here.

In some of my former letters I mentioned to your Lordship the grant of the Island of Mount desart made by the Assembly to me in consideration of extraordinary expences & Services. I find the confirmation of it is like to labour, from the Lords of Trade not being at present inclined to allow the lands on the East side of Penobscot Bay to belong to the province of Massachusetts Bay, altho' thier Right to it has heretofore been formally admitted in pursuance of the opinion of the Atty & Soll' general, Be that as it will, I perceive that the litigation of this Question, if it is carried to its full lenght, will be very tedious & very warm. And therefore I am Very desirous of getting my business exempted from it, which I think may be done by giving it a new Turn by making a little change in the terms of my Application for the Kings confirmation. I must not conceal from your Lordship, that this Island is a great object to one who has such a Number of

young children as have fallen to our lot; & therefore must not be lost for want of any pains of mine or any assistance I can procure from my friends, I shall endeavour to avoid giving your Lordship unnecessary trouble: when it cannot be spared I know you'll excuse it

I am &c

The Right Honble The Lord Viscount Barrington

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 13. Feb: 1763.

DEAR SIR,

I have enter'd a Caveat with M^r Wood, who will be sure to let nothing be done in the office concerning M^r Pemberton's Place, without my knowlege.

I have lately seen M^r Jackson, who will not fail to apprize me when he wants my help in your affairs.

Last tuesday I had the misfortune to lose my mother after a very few hours illness. She was senseless from her first seizure, and seem'd easy and quiet till she dyed. I beg you will present my best Comp^s to M^{rs} Bernard, and all my Cousins & I am with great truth

D^r Sir

Your most faithful

humble Serv^t

BARRINGTON

¹ "Bernard Papers," vol. x (Correspondence), p. 57.

GOVERNOR BERNARD TO LORD BARRINGTON¹

CASTLE WILLIAM May 21-1763

MY LORD

I am favoured with your Lordships letter of the 13th of Feby informing of Lady Barrington's Death. I should think an easy determination of a well spent Life rather a subject for ² congratulation than condolance, if it was not for the pain which the separation gives the relatives left behind.

I was loath to give your Lordship the last trouble concerning the Naval Office; but M^r Pemberton is a cautious Man; and I could not avoid satisfying his fears. And now there is occasion for further trouble: by the new establishment of the board of Trade, This Office falls into the patronage of M^r Townshend, and I suppose it will be necessary to secure his Confirmation of Lord Egremonts Designation. Your Lordship will judge what will be the best method of procuring that: that nothing may be wanting, I inclose an abstract of the Memorial submitted to Lord Egremont; which, tho' contracted in words, is sufficiently explicit in matter.

I must also beg your Lordship to recommend me in general terms to M^r Townshend, I have wrote to him upon the Subject of his appointment & have made a ready offer of my Service in giving him information of what has ocured to me in regard to such matters as are too delicate for public letters. I wrote to your Lordship (dated Dec^r 15 1761) a short state of my pretensions to being of some use, in case a Revisal & new Settlement of the Political state of N. America should have a place in the British Councils: to that letter I would now refer; what addition to it shall be necessary, I shall consider & forward by the best oppartunity,

¹ "Bernard Papers," vol. iii (Letter Book), p. 62. ² First written "of."

The Grant of Mount desert still remains in suspension, for want of the original grant, which having been delivered into the Secretary's Office is mislaid so that it cannot be found. A Duplicate of it sent to the Lords of Trade was taken; but a triplicate, I sent lately, was arrivd. At the beginning of last Winter My Conduct & the Provinces was I believe misrepresented from Nova Scotia; and The Lords hearing that Side only judged us rather too hastily. Some time after, my papers arriv'd, which, I understand, have shown my conduct & the Provinces right in a different light from what they were seen in before. I have upon this occasion received a kind letter from thier Lordships which makes amends for a unpleasant one which the Nova Scotia Representation produced. I am much obliged to your Lordship for the concern you have expressed in this affair. I hope your Lordship will not have much more trouble in it; as it seems to me that the right of the Province to those lands is too strong to be set aside: And M^r Jackson is full in this Opinion. There have certainly been great pains taken in the defence of the Province's right; and I have had my full share of them & I hope without giving offence, as appears from the following Clause in thier Lordships last letter to me "Wee can have no objection to "your acceptance of this grant as a Testimony of the ap-
"probation & favour of that Province in whose service &
"in the conduct of whose affairs you have manifested such
"Zeal & Capacity" —

We have passed thro' a very Severe Winter in good health. I have now 8 of my 10 Children in family with me. Frank will soon take his departure for England; when I shall acquaint your Lordship with my thoughts concerning him. I am with our joint compliments to your Lordship, & our friends &c My Lord — your Lordships &c
The R^t Honble L^d Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON June 15. 1763.

MY L —

When I was at Penobscot last Summer I engaged the Commander of Fort Pownall on that river to employ the best hand he could to make an Indian Canoo, which I intended for y^r Serpentine River at Becket. The Captain afterwards wrote me Word that he had employed a Squaw of the Penobscot Tribe (who are all now our Freinds) esteemed the best hand for a Canoo in America, to exert the utmost of her art on this occasion. But when I came to recieve it, I find I have been mistaken; & instead of a practicable Canoo they have sent me only a a Modell of one. I am so disappointed in this, that in order to alleviate it, I have resolved to send y^r Lordship this trifle of trifles, which perhaps may recommend itself as a curiosity: as it is the work of a Lady, perhaps of the first quality among her own people, & is exactly the same both in materials & Workmanship as a full sized Canoo. I intend however to send y^r Lordship a full sized one, which tho capable of holding three or four at a time is easily carried by one man from river to river.

I propose to reconnoitre this Country this Summer with great accuracy, the assembly having authorised me to employ a Mathematician to make observations all along the Coast. I have a very good Man for that purpose, the Professor of Mathematics at this College, whom I shall accompany, & assist myself. And I shall make a a further progress in surveying Mount Desart, unless I am ordered off from home. I have concluded with 60 families with a Minister at their head & a Merchant to supply 'm to settle there this Summer upon

¹ "Bernard Papers," vol. iii (Letter Book), p. 78.

a plan already laid out: I want only power to make them a title. There are also 920 families ready to settle upon the continent adjoining to the Islands in 12 Townships already mark't out. I shall greive much (setting aside my own interest) if this settlement should be defeated; as it is compactly planned & laid out to great advantage. And when I consider how much it has Cost the Government of Great Britain to settle 4000 Souls in some other Parts of America, I think it will be a great pity that such a Settlement should be refused when offered to be brought forward at no public expence¹ at all. For my own part I have been drawn into this scheme unperceptibly: & now the People call on me to be their leader, which I shall decline no longer, than till I can learn that my establishing a New Colony in a desert (which will long remain unpeopled if this opportunity is neglected) will be approved

Yours &c

The R Horble the L Viscount Barrington

GOVERNOR BERNARD TO LORD BARRINGTON²

CASTLE WILLIAM Augst 1 1763

MY LORD

I have the favor of your Lordships letter of the 30th of March which came to my hands not till the 23rd of July. I wrote to your Lordship a letter dated May 21st desiring your Lordships favor to recommend me to M^r Townshend whom I then imagined to be first Lord of Trade. I must now beg to tranfer the requests in that letter from M^r Townshend to Lord Shelburne who, according to my instructions, has the patronage of America in the Same manner as Lord Halifax had,

¹ First written "offence."

² "Bernard Papers," vol. iii (Letter Book), p. 86.

I write to his Lordship by the packet, to make him an offer of my best Services: your Lordships recommendation will make them much more acceptable than they can be of themselves.

I wrote to your Lordship also on June 15 on the Subject of Mount Desart: this business still continues promising; but the delay is unsuitable & will oblige me to enter into some Expence this Summer in dependence of a future confirmation of my title. A Letter I have just now received from the Lords of trade sayes that "it would be very agreeable to them to concur "with the Legislature of the province in so proper a testimony "& approbation of my services to the public" but it is not as yet advisable to bring the incidental questions into discussion, So I don't expect that this Affair will be considered untill next Winter. M^r Jackson has been indefatigable in it

M^{rs} Bernard joins with me in Comp^{ts} to your Lordship & your La^{dy} & all our friends

I am, with great respect

The R^t Honble

My Lord your Lordships

The Lord Viscount Barrington

most obedient &c

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 23^d Febr^y 1764

SIR

I am to return you my best thanks, for your very kind Present of Fish, which came very safe to hand, and is very good. I am ashamed of the trouble you annually give yourself, upon my account.

I understand thro' M^r Jackson, that your affairs concerning Mount Desart go on well; he has promised to give me notice

¹ "Bernard Papers," vol. x (Correspondence), p. 163.

when I can be Assistant therein. Lord Hillsborough, the present first Lord of Trade, is the most intimate friend I have in the world, and I have not neglected to inform him of my connexions with, and good opinion of you.

I hope this Letter will find you, M^{rs} Barnard, & all your family in perfect health. I beg you will present my best compliments to her, & add that her Relations on this side the Water are well & much at her service.

If I were to enter on the Political situation of this Country, it would open too large a field for a Letter: My opinion is that the present Administration will support itself very well, notwithstanding it has been press'd on some popular points, and I hope those Clamours which have artfully & wickedly been raised, will subside. I am with great truth & esteem

Dear Sir

Your Excellencys

most faithful

humble Servant

BARRINGTON

His Excellency

Governor Bernard

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON March 31st 1764

MY LORD

My Eldest Son being now ready to embark in a ship bound for England I take the liberty to trouble Your Lordship with this, that will inform if no accident happens, of his arrival at Christ Church. As the ship he goes in is bound to Bristol, He is to make the best of his Way to Oxford from

¹ "Bernard Papers," vol. iii (Letter Book), p. 133.

thence; & he will be obliged to keep at College for some time. But he will at all times be proud to receive your Lordships Commands to wait on you at any time & place You shall be pleased to Appoint.

The friendship with which your Lordship has honoured me & the favourable regards you have shown towards this my Son make it my duty to observe an entire unreservedness in expressing to your Lordship the opinion I at present entertain of him. He has a quick Genius & is a good school schollar in latin greek & hebrew to which since he has been here he has added french so far as to read it; he is inquisitive & has a boundless Curiosity: but he is unsteady, indolent & at present incapable of pursuing a purpose to any great length; so that his studies (for he can't remain Idle) are desultory & more calculated to give him an Imperfect knowledge in many Sciences than a Compleat knowledge in any one.

He is not without ambition but it is quite obscured by his Curiosity; which has given him a great inclination to travell & the further the better. I gave him leave to go as far as Philadelphia & when he got there, he had a desire to Visit Fort Pitt & see the Country about the ohio; & he actually went as far as Alexandria. I dare say He had rather be appointed Secretary to an Embassy to China, than have a place of five times the Value at home.

Your Lordship may imagine that Dispositions so very Contrary to my designation of him, which is to get him fixed in some business or other as soon as possible are very displeasing. I have therefore combatted them with all my power; with what effect must be seen from his future Conduct. However we have agreed that he shall return to college & reside there two years; at the end of which the disposal of him is to be, if it can be, finally settled. In the mean time I have given

him a taste for Philosophy, that seems to take hold of him, by the books he reads & the Questions he asks about the Newtonic System, with which I have made him a little acquainted.

Altho' I cannot much depend upon making him a Man of business, I shall not give it up as yet, as his Abilities will still remain, & two Years may make a great change in his disposition to exert them. At least I hope to be able to resort to that place, which your Lordship was so kind as to engage from Lord Egremont & which notwithstanding the late fluctuation, of the American Patronage, your Lordship will still be so good as to secure.

M^{rs} Bernard desires to join with me in Compliments to your Lordship & all our friend.

	I am, with great respect,
The Right Honble	} My Lord your Lordships
The Ld Viscount Barrington	
	most obedient &c &c

GOVERNOR BERNARD TO LORD BARRINGTON¹CASTLE WILLIAM² June 23. 1764

MY LORD,

I am favoured with your Lordships letter of Feb. 23, & should have acknowledged it sooner, but that I had a letter to you³ on the Sea at the time I received your last. I think myself highly honoured by your Lordships friendship;⁴ & can assure you the Sense of it gives great Strength to the guard

¹ "Bernard Papers," vol. iii (Letter Book), p. 235. The second and third paragraphs appear as a complete letter in *Select Letters on the Trade and Government of America* by Governor Bernard (London, 1774), p. 23. The text is practically like the manuscript; the important differences in wording are noted.

² "Castle William" is omitted in *Select Letters*.

³ First written "your Lordship."

⁴ First written "patronage."

I keep¹ upon my conduct. I consider myself no less fortunate that the Direction of American Affairs should fall into the hands of the two noble Lords, who have so large a share of your² Intimacy. In this Confidence, I am going to give your Lordship a trouble which I flatter myself you³ will excuse tho' you should not approve of it.

I am not now to acquaint your Lordship that ever since I have been in America, I have studied the Policy of the several Governments & endeavoured to acquire a true Idea of their Relation to Great Britian. But I have had no Encouragement to reduce my thoughts into writing, as heretofore the unsettled State of the Offices⁴ afforded me no prospect of a proper opportunity to communicate my Sentiments upon these Subjects. However this Spring I formed my thoughts into a kind of regular System, as concise and as argumentative as could well be.⁵ And now I wish I had done it sooner: for the late proceedings in Parliament have given such a rouse to the politicians in this Country, that it seems that a publication of some thing of this kind at this time might be of some⁶ Service. But I could not Venture upon it myself, not only from diffidence of my own Judgement, but because in my Station I do not think myself at liberty to publish anything of this kind without first Submitting it to my Superiors.

I have therefore thought it proper to transmit to your Lordship two Copies of this piece, that if you⁷ think it deserves Notice, you may transmit them to my Lords Halifax & Hills-

¹ First written "kept."

² Followed by "Lordships," then crossed off.

³ First written "your Lordship."

⁴ The word "public" is inserted before "Offices" in *Select Letters*.

⁵ See Bernard's "Principles of Law and Polity" in his *Select Letters*, p. 65.

⁶ Omitted in *Select Letters*.

⁷ First written "your Lordship."

borough.¹ Altho' it is concise, it is not obscure; & tho' short it contains the heads of a great deal of Matter: for it seems to me that evry thing I have to say of the American Governments in general & my own Province in particular may be brought into commentaries upon this little Work;² & for such a purpose I have intended it. If it has any Merit, I would have the honour of your Lordships Mediation; if it has none, I shall stand in need of your Apology.

I shall send your Lordship another Copy by the next packet I send to London: but having these two ready, I was unwilling to lose the benefit of a Ship now ready to sail: for I don't care to trust anybody to copy these but my second Son, who being engaged in a Merchants counting house has very little spare time to write for me.

M^{rs} Bernard has lately been very much out of order with a slow feaver but is now mending apace. This Climate does not agree with her so well as it does with me: if I should have more frequent instances of it I shall be much disconcerted. She joins with me in compliments to your Lordship your Lady & all our friends.

I am. with great respect

The R^t Honble

My Lord &c

The Lord Barrington

¹ The names of Halifax and Hillsborough are left blank in *Select Letters*.

² The word is "piece" in *Select Letters*.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON July 23. 1764

MY LORD

I take this opportunity to send to your Lordship a duplicate of a letter I sent by the Ship Boston packet Capt Marshall which sailed for London on June 27; and also another Copy of the paper mentioned therein. I have nothing to add but that the Experience of explaining to the Americans the nature of their own rights keeps encrasing, as new Pamphletts on the popular Side are coming out. If your Lordship should think that this Paper affords a proper System for such an explanation, I am quite prepared to enforce & extend the principal propositions thereof, by observations of my own & conclusions drawn from them. If this paper should be thought to deserve a serious Consideration, I should be glad if your Lordship could procure Lord Mansfields thoughts upon it.

I have the pleasure to inform your Lordship that M^{rs} Bernard has kept improving ever since the date of my last. She is now a a pleasent house of the Secretary's 5 miles from Boston, which he has lent us; as the Air of it is thought more suitable to her than than that of my Summer Residence the Castle

I am, with great respect &c

The R^t HonbleThe Lord Visc^t Barrington

¹ "Bernard Papers," vol. iii (Letter Book), p. 236.

LORD BARRINGTON TO GOVERNOR BERNARD¹BECKETT 7. Sep^r 1764.

DEAR SIR,

I have two unanswer'd Letters of your's; one dated in March, the other in June last: It is not long since I received them; the first having been a great while on its road, before it got hither. Soon after your Son's arrival at oxford, he very obligingly desired to know whether he might *wait on me here* to use his own modest expression. He came hither at my request, and past a day or two with us. He seems very much to answer your description of him: I do not see why he should not make his way in the world very well; and I heartily wish he may; to the intire satisfaction of his friends.

In a former Letter I acquainted you that I had mentioned your son to Lord Halifax when he became Secretary of State for the Southern Department; but as he (M^r Bernard) was considerably under Age, I only said I had a request to make in his favour, which I had made with good prospect of Success to M^r Pitt and Lord Egremont. Finding him to be one and twenty the 27th of this month, I explain'd the whole Plan of what you & M^r Pemberton had settled to Lord Halifax, making oppology for breaking, or rather seeming to break, a resolution he knew I had taken when I became Treasurer of the Navy; which was to ask no favours of any body, since I was no longer in a Situation to make a return: I told my Lord what I then did was no new matter, having undertaken it with M^r Pitt near four year's ago. I was sorry to find more difficulties than I expected, tho I did not find the least diminution of his Lordships friendly good will for me. He said he had refused many things of the kind, to People he loved &

¹ "Bernard Papers," vol. x (Correspondence), p. 187.

wish'd to gratify; conceiving that reversions, additional names added to grants, & resignations in favour of others, were in their natures injurious to the Crown, the Publick & his successors in office; all which is most undeniably true. I endeavour'd to make distinctions between this Case and others; and left him assuring me he would consider the whole matter carefully, & see what could be done to oblige me. He spoke of you with much esteem and approbation: I left with him one of the two manuscript Copies you transmitted to me; and Lord Hillsborough shall have the other when he returns from Ireland. I shall have more conversation with Lord Halifax at the end of this month concerning your son, and you shall know the result.

I have lately had some talk with our friend Pownall about mount Desart, who assures me your grant shall have his best assistance, & seems to think it will pass to your Satisfaction: He & M^r Jackson have promised to let me know when any help of mine is wanted.

I am extremely concern'd to hear that M^{rs} Bernard has not got her health so well as she had in England. I flatter my self however she will soon get rid of every indisposition and find *New* England to agree with her as well as the *old*. I trouble you with a Letter for her in answer of one she lately honour'd me with about her son. I am with great truth & Esteem Dear Sir

Your Excellency's

Most faithful &

Obedient Servant

P.S.

Since writing this Letter

I have received your third Copy

and the Letter dated 23^d July therewith
inclosed

BARRINGTON

LORD BARRINGTON TO GOVERNOR BERNARD¹BECKETT 3^d Oct^r 1764.

DEAR SIR,

I had the misfortune to lose Lady Barrington last week. She had been very ill, and was not expected to live long, but her death was not thought to be so near.

I have presented your work to Lord Halifax who admires it greatly, and says it is the best thing of the kind by much that he ever read: I am persuaded Lord Hillsborough will not give it less commendation. When I return to London I will see what can be done for my Cousin Francis in respect to Pember-ton's employment. I am with my best Comp^t to M^{rs} Bernard Dear Sir

Your Excellency's
most faithful & most obed^t Servant
BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON²

CASTLE WILLIAM Octo 20. 1764

MY LORD

I have been long in hopes, that I should not have occasion to trouble Your Lordship upon the Subject of Mount desert any more than to return you thanks. But at a time when I expected evry day to receive the confirmation of my grant, I learn from M^r Jackson that new objections are made to the Province's right to those lands, & when we thought ourselves Safe in harbour, We are all drove out to sea again. At the Same time I receive from Sec^y Pownall, & by declarations from him to M^r Jackson, assurances that I shall have the

¹ "Bernard Papers," vol. x (Correspondence), p. 195.

² *Ibid.*, vol. iii (Letter Book), p. 254.

Island at all events. I could be content to wait till evry obstacle that stands in my way was removed: but unfortunately my undertaking's & Engagements will not wait any longer. This obliges me again to be troublesome to all my friends; the occasion of it I will explain to your L^dship.

Altho' for want of the Kings confirmation, I could not do any public Acts of ownerships' yet as I have been allways considered & have considered myself as the Owner of the Island, I have been inavoidably led into considerable expences for improving & peopling the place: Among which, besides my frequent Voyages, I may reckon the Surveying the whole Island, which will come to a large Sum, & the laying out a Town & cutting out all the lines of the principal Streets, to make the plan more readily understood. But this Summer I thought myself uncommonly fortunate: for having had a German Agent introduced to me, who was employed to look out for a settlement for a Congregation he belonged to, I offered him my Town at Mount desert; where I showd him and accordingly I took him & a German Minister his assistant in my sloop to Mount desert [

] the spot proposed, & in a very few words came to an agreement with him for 80 families, to whom I was to assign 2000 acres, being 25 acres each, gratis, & as much more land as they should want at an easy rate then agreed on: and I was to be at a considerable expence in preparations for their reception,¹ which I now cannot excuse myself proceeding in —

I had before 20 families of near 100 souls upon the Island or engaged to it, & a sawmill crected there, which I believe contributed to determine the Germans in favour of it.

Your Lordship may imagine that I plumed myself greatly on this Success; & was not a little pleased at the prospect of

¹ First written "regard."

seeing a regular Town start up in one Summer, in a desert, at a distance from any other Town from 60 to 100 miles evry Way. When instead of receiving my Confirmation, I have advice from M^r Jackson, that the objections to the Province's right are again revived. & the Confirmation of the grants are put off sine diē. This is a grievous disappointment: for tho' I should¹ hereafter get the Island, yet if by this delay I lose the German Colony, it will be a loss never to be retrieved. If indeed I should lose them & the Island too, it would be a kind of little ruin. I consider the Island at this time as indebted to me for 1000 pounds st^g & it is, allmost if not quite, the sum total of my Acquisitions in America; it is peculiarly calculated² for the present state of my house, worth nothing at present & valuable only in future; & I do not expect to get anything from it myself, but it will be a valuable legacy to my Children after I shall, with expence & labour have made it no longer a desert Island. All that I've been to blaim for, is, that I have suffered my Activity & public spirit, to outrun my Prudence: & I could well apologise for that, if I could quote all the encouragements I have had to consider this Island as my own. But I hope & fully persuade myself that I shall not suffer by having been eager to people one spot of the Vast wast of his Majesty's Dominions.

For this purpose I beg leave to engage your Lordship to be my advocate: to which End I have sent to M^r Jackson all necessary Papers, among which are Memorials for the Secretary of State, & the board of Trade, with letters to the Sec^y of State & the first Lord. These M^r Jackson will cummunicate to y^r Lordship, & will give you notice when the Matter is pressed, & will inform you, if it should be the Case, as I hope it will, where y^r Lordships Interposition will not be

¹ First followed by "not," then crossed off.

² First written "adapted."

wanted as well as where it will be necessary: as I am very desirous that your Lordship should have as little trouble in this Affair as the Exigency's will admit of.

I am &c

The R^t Honble The
Lord Visc^t Barrington.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Dec^r 27th 1764

MY LORD

I am favoured with yours of Sep^r 7 & Oct^r 3 both which came together. M^{rs} Bernard has taken upon her to answer the latter; & I beg leave to join therein

I am in great hopes my Son will prove an usefull & Steady man: My Letters from England give me good Encouragement to expect it. It is a good account of him that as yet he has acquired no vitious habit whatsoever: and I am therefore desirous as soon as possible, to engage him in actual business, knowing what a dangerous state to a young man Want of Employment is. For this purpose it has been some time my intention to fix him in the Naval Office here, if your Lordship's kind intendment to² procure it for him should succeed. In this your Lordships friendly Care anticipates my own Sollicitude; & has, I hope effectually inforced the particular considerations, which distinguish my Case from General rules.

Upon the time of my sons full age arriving, M^r Pemberton of his own accord renewed his conversation with me on that subject, and as one of the objections, my Son's Minority was over, if the other of making the grant to two Names could

¹ "Bernard Papers," vol. iii (Letter Book), p. 271.

² Followed by "fix him in the Naval Off," then changed to "procure."

not be got over, he would Consent that the sign Manual might be made out in my Son's name upon the following terms. That to provide against accidents of death A Stipulation be enter'd in the proper office, if it may be, that at all events M^r Pemberton shall enjoy the profits reserved to himself, 2 thirds for 2 Years from Sep^r 1764 one half for 3 years & one third for life, this stipulation to be made secure to the Satisfaction of Aldⁿ Baker M^r Pemberton's friend Also that M^r Bernard shall not enter upon the Office till after the first 2 Years & shall then Authorise M^r Pemberton to join in the Administrations of it for 3 Years more. Nevertheless M^r Pemberton is very desirous that the Grant should be joint & I should approve of it as it is warranted by former usage & is the least exceptionable Method.

I am very much flattered with your Lordship's Account of my Lord Halifax's approbation of my Essay. Altho' the writing itself was an hasty work, the subject matter was the result of some Years consideration begun in the first days of my Government & carried on in the View of Seven Governments which have been within the Circle of my observations; but was never put upon paper untill June last & then finished in a fortnight in intervals of leisure during the sitting of the Assembly. I have endeavoured to ascertain principles for connecting America with great Britain with a true regard for both my Countries.

As for Mount desert I have received numberless Assurances of it's being confirmed to me, some directed immediately to myself but many more thro' M^r Jackson. I still promise myself that I shall have it: tho' I cannot but regret that it has given so much trouble to my friends: for myself, trouble is my portion; and I must neither decline nor regret it.

I have the pleasure now to inform your Lordship, that M^{rs}

Bernard has quite recovered her usual health, & seems to be in as good a state now as ever. However she must take Care of herself: She is not so able to bear this rough Climate as I am, who enjoy as good health at the present as at any time of my Life. I have the pleasure to hear that your Lordship also enjoys your usual happy temperament: Long may it be preserved. I am with great gratitude and respect,

The Right Honble }
The L^d Visc^t Barrington }

My Lord, Your Ldps
&c &c

LORD BARRINGTON TO GOVERNOR BERNARD¹

BECKETT Aug^t 5th 1765.

DEAR SIR,

I have defer'd writing to you for many months expecting that my friend Lord Halifax would come to some determination concerning the Employment now held by M^r Pemberton. I did every thing in my power to conquer his Lordship's Scruples, and indeed what seem'd to me sufficient for that purpose; but nothing was done when he resign'd the Seals. I have not half the reason to hope favour from his Successor tho' I have lived on very good terms with him all my life. Solicitation is intollerable to me, & would be impossible if it were new matter; but such is my desire to serve you & my Cousin, that I will see what can be done in case any favourable opportunity offers. I beg you will acquaint M^{rs} Bernard of this with my best Compliments.

I left this place about three weeks ago, went directly to the King and beg'd he would dispose of the Employment He had given me, in case it could be of any use to the settlement of

¹ "Bernard Papers," vol. x (Correspondence), p. 276.

his affairs under his new administration; & I came out of the Closet a second time Secretary at War to my great Surprise. I am at all times & in all situations Dear Sir

Your Excellency's

most faithful

humble Servant

BARRINGTON

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 12th Septm^r 1765

DEAR SIR

I acquainted you by the last Packet that Lord Halifax had left the Secretary of State's Office, without doing any thing in regard to the Naval Office, tho' I did every thing in my power to remove his scruples. After so little success with one of the oldest & most intimate friends I have in the World, I can have but little expectation of succeeding with any body else: however, I have mentioned the Affair to General Conway, who has taken it under his consideration; but I must confess to you, from what pass'd between us, I conceive very slight hopes, if any. I shall not know his final determination before Saturday's Packet sails, however I would not let it depart without carrying you this information; with assurances of my being with great truth and regard

Dear Sir

P.S.

Your Excellencys

I beg my best compliments
may be made to M^{rs} Bernard
& my young Cousins.

Most faithful

humble Servant

BARRINGTON

¹ "Bernard Papers," vol. x (Correspondence), p. 296.

GOVERNOR BERNARD TO LORD BARRINGTON¹BOSTON, N. E. Nov^r 15. 1765.

MY LORD,

I am favoured with your Lordships letters of Aug^t 5 & Sep^r 12. I have long had a desire to write to your Lordship on subjects of more importance than those which have lately given your Lordship so much trouble: but the great Confusion which this Province, & more especially this Town, has been put into, has taken from me all choice of Correspondencies. At present I only sit down to acknowledge your² Lordships last favours.

I am heartily sorry that I ever moved this business, which has given your Lordship so much Solitude & myself so much Mortification. And yet for my own Justification, I must say that I had no Idea of its being a business of so much difficulty & Perplexity as I have found it to be. I argued upon the reasonableness of my request, & from thence concluded for its Practicability. I found myself in a Government of very great trouble, & very inadequate pay: I therefore persuaded myself that I should be allowed to resort to Patronage for some Compensation; & what could I expect more favorable to me than a Patronage which had in all instances but one belonged to the Governor, & in an instance where I had paved the way by private Negotiations. I do not mention this by way of Complaint, but as an Apology for having led your Lordship into a fruitless Solicitation; as from your Lordship last letter I conclude in the end will prove.

I fear that M Temple's malicious & unjust Charge against me has made impressions to my disadvantage, or at least

¹ "Bernard Papers," vol. v (Letter Book), p. 38.

² First followed by "favours," then crossed off.

has created a Notion that I get money fast enough without any extraordinary favour. In regard to the general Imputation against me, I have been very happy in having so good a friend as your Lordship, ready to defend me against a stab in the dark, which It was not in my power to guard myself against. It has been also a great Comfort to me to learn, that at those Offices, where my Conduct has been canvassed for upwards of seven Years, I had gained a credit, which formed a kind of ballance against M Temple's insinuations. And yet it has given me great Concern that I have never had an account of the Particulars of the Charge against me, nor an Opportunity to make a formal defence thereto. It is true, I may suppose from thence that it is entirely discredited ; but yet I could have wished that my Vindication had been at least as public as the Accusation was.

As for my getting money in this Government, I would with pleasure give an Account of evry shilling I ever received : but perhaps the sum total will be sufficient. The certain Income of this Government including Salary & ordinary fees is 1000 guineas a year at a medium. The Contingent profits arising from Shares of the forfeitures have in five Years amounted to about £1700 including the forfeitures which M Temple grounded his Complaint upon. This makes £340 p Ann ; & the whole income for 5 Years may be called £1400 p Ann. I can't Spend less than 1000 £ p Ann ; & in some Years have spent 2 or 300 £ more. What then is there to lay up. I have lately made a rough Estimate of my whole Possessions : & I find myself worth 1000 pounds more than I was when I rec^d my first Appointment ; & have wondered at my being so rich. I have not been used to be so solicitous about my private profits : but the rising generation makes it evry day more & more my Duty.

But whatever Success this, or any other Solicitation or expectation of mine may have, I shall allways retain a grateful Sense of your Lordships favor; To whom I owe evry thing which I now have, & to whom I am allready indebted beyond all power of retribution, except by sincere thanks & earnest good wishes. I hope very soon to write again to your Lordship; possibly before I shall have dispatched this.

I am, &c

M^{rs} Bernard begs leave to
join in Compliments to your
Lordship & all our friends.

Right Hon^{ble}

Lord Barrington.

P.S. Nov^r 19.

Since I have wrote the foregoing, I have seen M Pemberton who tells m^e that he finds that his Convention with me, has set other Persons upon treating about the disposal of his Office: of which he gives this instance. Commodore Loring (the Commanding Officer upon the Lakes) who lives near M Pemberton, came to him some time ago, & told him that he had received advice from London that he, M Pemberton, wanted to dispose of his Office; & offered to treat with him for it on behalf of his Son who is an Officer in the Army. M^r Pemberton declined the Treaty & avoided explanations as well as he could. Some time after, M Loring came again, & said that he was assured that M Pemberton had expressed his desire to quit his Office, & pressed him to treat with him. M Pemberton there Upon declared that what intention he had professed was in favour of my Son, & no one else; that the Business was out of his hands & that he could treat with no body else: Upon which M Loring dropt his Sollicitation.

This has alarmed M Pemberton, who is a cautious Man: and he is apprehensive that his treaty with me will bring upon him applications from others upon Terms prescribed to him. But I endeavour to persuade him that if your Lordship shall not prevail to have our Agreement carried into execution, you will not want Power or will to prevent any disadvantage being taken against him upon that account. However he proposes to write to the Duke of Newcastle, who has been a kind of Patron to him in regard to this Office, & will inclose the letter unsealed in a cover to your Lordship. And I would beg leave to intimate to your Lordship, that if an Alteration in our Plan, such as an absolute Resignation would procure Success, I doubt not but I could easily come to terms with him: which I submit to your Lordships Consideration.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 16. Dec^r. 1765.

DEAR SIR,

In a former Letter I acquainted you that I had spoken to M^r Secretary Conway about your son's appointment: no thing has been done in that matter, but I have better hopes than I had formerly of my Success.

I most sincerely pity North America, & every body in it; particularly those in most authority. I am confident one Governor *at least* will do his duty. I am in very great haste but as great truth D^r Sir:

Your most faithful &
obedient Servant

My best Comp^s to my
Cousins.

BARRINGTON.

¹ "Bernard Papers," vol. x (Correspondence), p. 328.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE Feb : 6. 1766.

DEAR SIR,

I received your Letters of the 15th November yesterday. The Packett goes out again the day after to morrow ; I am engaged in a great deal of office business, and the House of Commons sits on American affairs continually till two or three in the morning. This does not hinder my acknowledging most cordially your remembrance of me ; but it prevents my answering your Letters as I ought, or acquainting you with the present state of affairs here. I hope your other Correspondents are not so busy.

In my last Letter I acquainted you that M^r Secretary Conway had given me hopes that the Naval office of your Province would be confer'd jointly on M^r Pemberton and your Son. Those expectations have been since confirm'd, & I am not without an Idea that the thing may be actually done before the Packet sails. Your Conduct which has obtain'd the highest approbation and most publick and general commendation,² has done infinitely more than any friendly efforts of mine. Your Correspondence with the Ministry laid before both Houses of Parliament is universally admired ; I wish the Publication of it may not produce any inconveniencès in America.

M^r Temple's representations against you have had no effect, and I shall always be watchful for your Service, both at the Treasury and the Council.

I have just had time to look over your most ingenious Letter on the Subject of North America. I shall study it

¹ "Bernard Papers," vol. x (Correspondence), p. 332.

² First written "approbation."

very closely my self, and will make the proper communications of it.

I am with my best Comp^s to M^{rs} Bernard & all my Cousins,
Dear Sir

Your most faithful
& obedient Servant

BARRINGTON

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Nov : 23 1765

MY LORD

It is not above a Year since I troubled your Lordship with Copies of an Essay to delineate the Principles of Law & Polity² applicable to the British Colonies in America. Among these two principal Conclusions were, that the Regulation & Reformation of the American Governments was then become a necessary Work; and that the present was the most proper time to undertake that Work. If I could have then spoke out with that earnestness with which I thought upon the Subject, I should have urged it as a Business which would admit of no Delay; a Business to which all others ought to have been postponed; as it was itself a necessary Preparative to almost all others. But unfortunately (I speak it feelingly) the Business of the Finances took the Lead: this was undoubtedly an Urgent & primary Concern of the Councils of Great Britain; but it did not follow that it ought to be immediately extended to America. A little Consideration

¹ "Bernard Papers," vol. v (Letter Book), p. 47. This letter is printed in *Select Letters on the Trade and Government of America* by Governor Bernard (London, 1774), p. 29. Some portions of the printed letter are quite different from the manuscript; the important differences are here noted.

² See *Select Letters*, p. 71.

would have made it at least doubtfull whether an inland Taxation of the Americans was practicable or equitable *at that*¹ Time. If I had had the Ques'tion put to me I think I should have proved the Negative in both particulars.²

It must have been supposed that such an Innovation as a Parliamentary Taxation would cause a great Alarm & meet with much Opposition in most parts of America; It was quite new to the People, & had no visible Bounds set to it; The American's declared that they would not submit to it before the Act passed; & there was the greatest probability that it would require the utmost³ Power of Government to carry it into Execution. Whereas at this Time the Governments were weak & impotent to a amazing Degree; The Governors⁴ & the⁵ Officers of the Crown in several of the cheif Provinces intirely dependent upon the People for Subsistence; The Popular Scale so much weigtier than the Royal, that it requied Address & management & frequent temporizing to preserve a tolerable ballance; The Persons of the Governors & Crown-Officers quite defenceless, & exposed to the Violence of the People without any possible Resort for Protection. Was this a Time to introduce so great a Novelty as a Parliamentary inland Taxation into America! ? — Nor was the Time less favourable⁶ to the Equity of such a Taxation. I do not mean to dispute the Reasonableness of America contributing to the charges⁷ of Great Britain when she is⁸ able: nor, I beleive would the Americans themselves have disputed it at a proper Time & Season. But it should be considered that the American Governments themselves

¹ The word is "this" in *Select Letters*.]

² First written "Instances."

³ First written "greatest."

⁷ First written "relieving the incumbrances," then changed to "the charges."

⁸ First written "was."

⁴ First written "Government."

⁵ Omitted in *Select Letters*.

⁶ First written "unfavourable."

have, in the prosecution of the late War, contracted very large debts, which it will take some Years to pay off, & in the mean Time occasion very burthensome Taxes for that Purpose only. For instance, this Government, which is as much before hand as any, raises every Year £37,500 sterling for sinking their Debt, & must continue it for 4 Years longer at least before it will be clear. ——— If therefore the parliamentary Taxation had been postponed for this Time, & the interval employed in regulating & strengthening the Governments, It probably might have been then introduced without much Difficulty. Now it seems that both one & the other are at ¹ greater distance than ever.

It were much to be wished that America could be brought to the State it was in, two Years ago; when there was a general Disposition to submit to regulations & requisitions necessary to the Reformation of the Governments & ascertaining their relation to Great Britain. But that Time is past & not to be retrieved: since the Insurrections against the Stamp-Act, The Americans have found the Governments so contemptibly weak & the People so superior to the ² Royal Authority, that they are not a little elated upon their Triumphs over the defenceless Officers of the Crown; & seem to be resolved that their ³ Idea of their Relation to Great Britain, however extravagant various & inconsistent shall be the standard of it. So that it is ⁴ to be feared that it will cost much time & Treasure ⁵ to bring America to that Degree of Submission, which the Parliament will think necessary to require of them. The Question will not be whether there

¹ The words are "at a greater distance" in *Select Letters*.

² Omitted in *Select Letters*.

³ Followed by "Relation," then crossed off.

⁴ Followed by "much," then crossed off.

⁵ Followed by "(& perhaps some blood)," then crossed off.

shall be a Stamp Act or not; but whether America shall or shall not be Subject to the Legislature of Great Britain.

It is my Opinion that all the Political Evils in America arise from the Want of ascertaining the Relation between Great Britain & the American Colonies. Hence it is that Ideas of that Relation are formed in Britain & America, so very repugnant & contradictory to each other.¹ In Britain the American Governments are considered as Corporations empowered to make by-Laws, existing only during the Pleasure of Parliament, who hath never yet done any thing to confirm their Establishment, & hath at any Time a Power to dissolve them. In America they claim (I mean in ² publick Papers,) to be perfect States,³ no otherwise dependent upon Great Britain than by having the same King; which having compleat Legislatures within themselves, are no ways subject to that of Great-Britain; which in such Instances as it has heretofore exercised a legislative Power over them has usurped it. In a Difference so very⁴ wide who shall determine? The Parliament of Great Britain? No, say the Americans (I mean the violent & foolish⁵ of them); that would be to make them Judges in their own Cause. Who then? the King? He is bound by Charters &⁶ Constitutions equal to Charters; & cannot decree⁷ against his own Grants. So at this Rate there is no superior Tribunal to determine upon the Rights & Priviledges of the American Colonies.

But the general Plea of the Americans against the Stamp

¹ First written "one another."

² The words are "in the publick" in *Select Letters*.

³ First written "compleat Governments," then changed to "perfect States."

⁴ Omitted in *Select Letters*.

⁵ The words "& foolish" are omitted in *Select Letters*.

⁶ The word is "or" in *Select Letters*.

⁷ The word is "declare" in *Select Letters*.

Act is that they are not represented in Parliament, & therefore not liable to be taxed by it. To which it has been answered in England, that they are, *virtually* represented in Parliament. Each of these Pleas tends to expose its own Cause: If the Americans rest their Defence upon their not being represented, It is in the Power of the Parliament by admitting representatives from America to take away all Pretence of their not being bound by its Acts; On the other side, if the Notion of the Americans being *virtually* represented should be falsified in fact, the Plea of the Americans will remain in its full Force. Whereas The Right of the Parliament of Great Britain to make Laws for the American Colonies is founded upon its being the Supreme Imperial Legislature, to which all Members of the Empire, whether represented or not, are subject in all Matters & Things & in Manner & Form as shall be judged most convenient for the whole.

But tho the Parliament of Great Britain does not stand in Need of a Real or Virtual Representation to ground its Authority over the Colonies, it may now be worth Consideration whether Admitting Representatives from the Colonies may not be a Proper expedient for the present Exigencies. Two Years ago a proposal of this Kind would not have bore an¹ hearing: But so much is America altered by the late financial Acts, that a New System of Policy & of a more refined Kind than was wanted heretofore, is now become needful. The Patchwork Governemnt of America will last no longer: The Necessity of a Parliamentary establishment of the Government of America upon fixed Constitutional Principles is brought on with a Precipitation which could not have been foreseen but a Year ago; & is become more urgent by the very Incidents which make it more difficult. The Circum-

¹ Printed "borne a" in *Select Letters*.

stance of the Americans justifying their Disobedience by their not being represented¹ points out a Method to inforce their Obedience upon their own Principles. Take them at their Word; let them send Representatives for the present Time & for the present Purposes: 30² for the Continent & 15³ for the Islands would be sufficient. In this Parliament, the Colonies being actually represented, Let the Affair of the American Governments be canvassed to the Bottom; & let a general uniform System of American Government be formed & Established by Act of Parliament, by which the Americans according to their own Principles will be bound; and let the Relation of America to Great Britain be determined & ascertained by a Solemn Recognition; so that the Rights of the American Governments & their Subordination to that of Great Britain may no longer be a Subject of Doubt & Disputation. When this Great Work is done the American Representatives may be dismissed & left to attend their own legislatures, which will then know the Bounds of their own Authority.⁴

Ireland⁵ affords an Example for the Usefulness of this Work

¹ Followed by "in Parliament," then crossed off.

² First written "20."

³ First written "10."

⁴ In *Select Letters* the words "or may be continued, as shall be found most advisable" are added after the word "Authority."

⁵ The following paragraph in the *Select Letters* differs so much from the above, that it is here given in full.

"*Ireland* affords an example of the usefulness of this work, and the manner of doing it. It is owing to the wise administration of *Ireland*, when it was first made a kingdom, that the form of government of that island, which is as perfect for a *dependent*, as that of *Great Britain* for a *supreme* power, has lasted now for *two hundred and seventy* years, without wanting the least amendment of fundamentals. Haply *America*, in the formation of her government, had not the same care taken of her, to regulate her policy, and prevent the mischiefs which the uncertainty of the relative powers of civil government, *supreme* and *subordinate*, is now bringing on like a torrent. The civil policy of *America* is composed of temporary expedients, all derived from the Crown only; not one of the *American* governments has that sanction which none of

& the Manner of doing it. It is owing to the wise Administration of S^r Edward Poynings in Henry the 7th Time, that the Form of Government of that Island, which is as perfect for a dependent, as that of Great Britain for a supreme Power, has lasted now for 270 Years, without wanting the least Amendment of Fundamentals. Haply America has not had a Poynings to regulate her Policy & prevent the Mischeifs, which the Uncertainty of the Relative Powers of civil Government, imperial & subordinate, is now bringing on like Torrent. The Civil Policy of America is composed of temporary Expedients all derived from the Crown only; not one of the American Governments has that Sanction which none of them ought to be without, a parliamentary Establishment. And untill the parliament shall establish the American Governments upon a constitutional bottom, & ascertain the Limitation's & extension's of their Legislatures, It must be expected that the Governments will be continually subject to disturbance, whenever the Americans think fit to complain of innovations upon & infringements of their Rights; that is whenever any thing is required of them which they don't like.

Ireland also affords Instances of every Kind of Regulation which America wants; which may be brought under these Heads. 1. The Governments (especially in the Old & settled¹ Countries) should be composed of such ample Districts, as will enable the People to keep up the State of Government without feeling the Burthen of it. 2: There should be one them ought to be without, a *parliamentary* establishment. And, until the Parliament shall establish the *American* governments upon a constitutional bottom, and ascertain the limitations and extensions of their legislatures, it must be expected that the governments will be continually subject to disturbance, whenever the *Americans* think fit to complain of innovations upon, and infringements of, their rights; that is, whenever any thing is required of them which they don't like."

¹ Followed by "Funds," then crossed off.

Form of Government as like as possible to that of Great Britain, that is the same as Ireland, with a true Middle Legislative Power, appointed by the King for Life & separate from the privy Council. 3. There should be a certain & sufficient civil List laid upon perpetual Funds for the Support of all his Majestys Officers, so that they may not be too much dependent upon the People. 4. The Several American Governments should Maintain such standing Forces as shall be thought necessary to be kept up in America as their quota of the general Armament of the Empire, by raising the Sums requisite therefor & paying the same into the Kings Treasury¹ in America; the Numbers of Men,² & proportions of the several Governments to be settled by the Parliament of Great Britain. 5. There should be a solemn Recognition of the Supremacy of the Parliament of Great Britain over the American Governments, which should be the first Act of each Legislature after its new Establishment & be The condition of its Activity. 6.³ There should be a general Rivalal of the Laws of America, that they may be reduced as near as possible to the Standard of England & the Administration of Government & Law may be render'd as similar thereto as well may be.⁴

You see here, my Lord, a Scheme for settling America; which, I doubt not, will appear to be very extravagant. It may be⁵ so; but such also is the State of the Country; ex-

¹ First written "Treasuries."

² Followed by "Sums of Money," then crossed off.

³ This sentence was first written "There should be also (which should may be included in the same Act) a Bill of the Rights of the People, which should be declared to be the same with those of the People of England, the Dependency accepted," then crossed off.

⁴ This was added, then crossed off:—"8. In all omitted and doubtfull Cases The English Constitution should be the Guide; or, if it should be thought necessary, the Parliament should determine it."

⁵ First written "is so."

traordinary Disorders require extraordinary Means of Cure. It seems to me that the Government of Great Britain never had, in my Time, a more difficult Business, than what the Americans have now put into their Hands. If therefore any Scheme can be proposed, which by constitutional Means will probably compose the present Disorder's & prevent the like for the future, it is worth attending to. For this Purpose I have put these Thoughts into writing, in a hasty Manner; for at present I can write no otherwise: and I¹ communicate them to your Lordship; that if you should think they deserve a deliberate Consideration you may procure it for them. I shall think myself very happy, if I can contribute to the restoring the Peace of America & establishing the Governments of it upon a Constitutional & permanent Basis, according to the foregoing or any other System. The Opportunities I have had of observing the Policy & Manners of many of the Governments of North America have afforded me a Knowledge which might be made useful, if I could freely communicate it; which cannot be done without my personal Attendance. I say this upon² presumption that some effectual³ Alteration⁴ of the Government of America⁵ is like to be brought on the carpet: but if nothing is⁶ to be done but making Peace with the Americans, & letting them go on in their own Way & according to their own Notions, No great Consideration will be necessary.⁷

I have extended this letter so far that I have not room to say

¹ Followed by "have thought proper to," then crossed off.

² In *Select Letters* "upon a presumption."

³ First written "great."

⁴ The word is "regulation" in *Select Letters*.

⁵ First followed by "will soon take place," then crossed off.

⁶ First written "will be."

⁷ The printed text ends here in *Select Letters*.

much¹ of myself: but M^r Pownall can inform your Lordship in that respect as well as² I can.³ For near 3 months I have been under great difficulties & not without danger: Once my house was invested (the same night the Lieut Governor's house was destroyed) but preserved by the remonstrances of the Neighbours, ourselves being at the Castle; twice have I⁴ sent away any papers plate &c; once I expected to be obliged to quit the Province for several days together; but the peremptoriness of my instructions made⁵ me desirous of trying every experiment first, & I got over that difficulty. Even Now I am in continual expectation of fresh disturbances arising, of which I may⁶ partake more or less. But I have done my duty tho' it has been a Severe one at this time: I have waged a most unequal War, & can hardly⁷ now procure the liberty of remaining Neutral without pretending to exercise any real Authority. I send your Lordships copies of the⁸ principle papers which have passed between me & the house of representatives, from which you will see that All my Crime is vindicating the right of parliament to make laws for y^e American Colonies: a conduct unavoidable by me whatever were the Consequences.

I am &c

The Right Honble

The Lord Visc^t Barrington.

¹ First written "any thing."

² First written "more minutely than," then changed to "as well as."

³ First followed by "myself. At present I can only say that," then crossed off.

⁴ First written "We."

⁵ First written "got." ;

⁶ First written "shall."

⁷ First written "not."

⁸ Followed by "grand altercation" then changed to "principle papers which have passed."

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Jan: 11 1766

MY LORD

I am desired to certify to your Lordship, that at the beginning of the Year 1764 Gen^l Gage at my Request, gave Leave to Ensign Francis Miller of the 45 regiment, then stationed in Newfoundland to come to Boston to assist me in some Works of Public Surveying, which I had undertaken in pursuance of resolutions of the general Assembly & partly by Orders from England. M^r Miller being then at an outpost & not easily releived did not arrive at Boston till Nov^r in that Year, when the Seazon for actual Surveying was over. He was employed that Winter & Spring following in protracting the Surveys made that Summer, among which was a compleat Rout from Fort Pownal on the River penobscot to Quebec, & some other curious explorations of the Eastern parts of New England hitherto unknown to Englishmen: of which, elegant Maps drawn by M^r Miller have been transmitted to the Board of Trade. Early in the Last Summer I employed M^r Miller (having previously informed Gen^l Gage of the Intention) to make an actual Survey from Boston to Albany & back again by another Way being near 200 Miles; & afterwards from Boston to penobscot being above 200 Miles; by which Means a true Geometrical Line of 400 Miles in length through part of new York & all the habitable part of New-England has been obtained, which will afford great Assistance to the Ascertaining the Geography of this Country & its Sea Coast. After this Survey was finished he was employed in protracting the Same & making Drawings thereof which he has done with great Accuracy & Elegance.

¹ "Bernard Papers," vol. v (Letter Book), p. 72.

Whilst he was engaged in this Business, He received orders to follow his Regiment to Ireland: upon which he wrote to his Colonell acquainting him with the Employment he was in & by whose Leave & Order he was engaged in it; & that, as soon as he had finisht, he should join his regiment. He is now embarking for England for that purpose: and, least the Occassion of his Absence should be misunderstood, he has desired that I would acquaint your Lordship of the forementioned particulars. This I do in Justice to him; & can add that he is very deserving, not only on Account of the Works aforesaid, but as a faithfu Officer in general, he having been in the Service of this Province in their provincial Troops during the whole Late War; at the End of which he procured his present Commission

I am, &c

The Right Hon^{ble} the
Lord Viscount Barrington
Secretary of War.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 25. March 1766.

DEAR SIR,

At last the Commission constituting my Cousin your son and M^r Pemberton joint naval officers has past the Secretary's office, and M^r Jackson has undertaken to take it out. I cannot assume to my self any merit in this success: General Conway is my very good friend, but not more so than his Predecessor's, who none of them did what I desired; and the present Secretary of State demur'd for several months after my application. You are obliged for your Success to your

¹ "Bernard Papers," vol. x (Correspondence), p. 344.

abilities and merit, universally acknowledged by all who know anything of what has past in your part of the World. I hope it is only a begining of future rewards more adequate to your Services. I am with my best Compliments to M^{rs} Bernard and all my Cousins, as likewise with the most perfect Esteem and and regard

Dear Sir

Your Excellency's

Most faithful &

Most obedient Servant

BARRINGTON.

LORD BARRINGTON TO GOVERNOR BERNARD ¹

CAVENDISH SQUARE 26th March 1766.

DEAR SIR

I receiv'd your Letter dated the 11th of January, in favour of Ensign Francis Miller whom I immediately recommended to his Colonel Major General Boscawen, from whom I have receiv'd a Note herewith enclos'd. I hope there has been no mistake in the disposal of this Officer's Commission but I know nothing of the transaction, the Regiment being on the Irish Establishment. I am with great truth & regard

Dear Sir

Your Excellencys

Most faithful &

Most Obedient

humble Servant

BARRINGTON

¹ "Bernard Papers," vol. x (Correspondence), p. 352.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON, Mar 27. 1766.

MY LORD,

I am favoured with your Lordships letter of Dec^r 16; for which I beg leave to return my thanks. My situation here has been very disagreeable, not to say dangerous, for above this half Year: & I wonder to find myself here at this time. Altho' I have allways preserved the firmness of my mind, yet It has occasioned some distraction in my Councils; as I have foreseen & still do foresee infinite difficulties in bringing North America, & especially this Government, into good order again. In this Province, the late Fermentation has stirred up all the ill humours, which had been before kept under, & set them above all Government & order.

This has been the occasion of my troubling your Lordship with a tedious Letter on the Subject of North America; which I should have had much reason² to have apologised for, If the Importance of the Subject & your Lordships public Station should not excuse it. It has now obliged me to write a long Letter to the Secretary of State, to show the Necessity of myself or the L^t Gov being ordered home to make a report of the present State of this Province. I have accompanied this with a Letter to M Pownall, who gives me frequent proofs of his friendship, to desire that He would consult my friends about the Advisableness of my coming home, concerning which there are in my mind many doubts & difficulties, tho' upon the whole I think it best for me to go home. Upon this occasion I cannot excuse myself informing your Lordship of this Business in the first instance, which I shall do by

¹ "Bernard Papers," vol. v (Letter Book), p. 96.

² First written "occasion."

inclosing Copies of the forementioned Letters. The L^t Gov^r is acquainted with these Letters, & is quite indifferant about the Decision; as I shall also be with the determination of my friends, if your Lordship will be so good as to consider Yourself, as I must ever do, the chief of them. whatever your Lordship shall think most proper, I suppose, must be easily affected.

Since I have begun this Letter M Pemberton has been with me & showed a Letter he has wrote to your Lordship & another to the Duke of Newcastle concerning his Office & our Agreement. I should have been glad to have saved your Lordship this trouble at a time when I am giving your Lordship much more upon another Subject. But M^r Pemberton has acted so honorably with me, that I know not how to restrain him in taking such precautions as he shall think necessary to his own Security. Besides these Letters will give Your Lordship little more trouble than the reading, unless your Lordship shall think proper to make use of them with the Duke of Newcastle.

I am, &c

The R^t Honble

The L^d V^t Barrington.

LORD BARRINGTON TO GOVERNOR BERNARD ¹

CAVENDISH SQUARE June 8. 1766.

DEAR SIR,

I have received your Letter of the 27th March, with one inclosed therewith for the Duke of Newcastle from M^r Pemberton: I have not deliver'd it to his Grace, because a joint grant to him and your Son past some time ago, (as I have already inform'd you;) and in the manner desired by all

¹ "Bernard Papers," vol. xi (Correspondence), p. 13.

Parties. I again congratulate you on the final conclusion of that business.

I have consulted with M^r Jackson and M^r Pownall on the subject of your return: The former seems not to expect much advantage either to you or the Publick from coming hither: The latter apprehends you in some danger where you are, and therefore wishes you at a distance from Boston. If that be the case, every friend you have must be of the same opinion; but if you can remain in your Government with tollerable quiet and safety, I cannot advise you to leave it till some other better provision is made for you; a thing to which your Services universally known give you an indisputable Claim: We do not however live in times when such Claims are much regarded. I see no disposition, or indeed as things are constituted ability to settle any thing permanently, either at home or abroad; and therefore an expensive inconvenient Journey would only produce vexation and disappointment. I may be mistaken in the opinion I now give; but I am sure it is disinterested; for I wish very much to see you after so long an absence.

The Parliament is just broke up without any considerable changes: We have got the Duke of Richmond for the Duke of Grafton, and his Grace has the Southern department; but it was agreed that America should be given to the board of Trade or a third Secretary of State: However this is not done, or at present much talk'd of.

I beg you will present my affectionate Compliments to all my Cousins, and believe me to be with the most perfect Esteem

Dear Sir

Your Excellency's

Most faithful

and most obedient Servant

BARRINGTON.

LORD BARRINGTON TO GOVERNOR BERNARD ¹

CAVENDISH SQUARE July 12. 1766.

DEAR SIR,

Since I wrote to you last, rather advising against your coming here, an Event has happen'd which may possibly induce me to alter my opinion: if it does you shall hear from me again by next Packett. The King has sent for M^r Pitt who arrived in Town yesterday, and a new arrangement of administration is expected. God grant it may be solid, extensive and permanent, with wisdom and decision. If I see a disposition in any new Establishment of this kind to go properly to work with the Colonies, you may be very useful here. I am with great truth and Esteem Dear Sir

Your Excellency's

most faithful &

Obedient humble Servant

BARRINGTON.

My best Comp^l attend
all my Cousins.

GOVERNOR BERNARD TO LORD BARRINGTON ²BOSTON July 5th 1766

MY LORD

I am honoured with your Lordships Letter of Mar: 25 acquainting me with the Favour of Secretary Conway conferred on me thro your Lordships Mediation. I am very glad that any Services of mine have gained me so much Credit as to shew me not wholly unworthy of your Friendship. I can assure your Lordship that my Desire of not discrediting

¹ "Bernard Papers," vol. xi (Correspondence), p. 25.² *Ibid.*, vol. v (Letter Book), p. 138.

your Lordships Recommendation has always had a considerable, Influence over my Public Conduct. And your Lordships Approbation of it alone is to me a very pleasing Reward. I have not yet received the Sign Manual, as soon as I do I shall think it proper to pay my Compliments to Secretary Conway. At present I must desire your Lordship to accept mine & M^{rs} Bernards hearty Thanks for this great Addition to your Lordship's former good Offices to me & our Family; which we hope will never be forgot by any Branch of it.

I am obliged still to maintain a political Warfare with the Popular party: The Kindness of the King & parliament has not had the Effect in this place which it ought to have. I have just got thro' a very troublesome Session in which the House of Representatives with great Imprudence as well as Ingratitude have treated the Kings Authority with fresh Indignity: I have not been wanting in shewing a proper Resentment of it. I am now preparing exact Accounts of these Transactions for the Secretary of State and the board of Trade; & flatter myself that the Spirit I have shewn upon this occasion will meet with Approbation. It was lucky for me that my Conduct was at that Time set in an high Light as a friend to this Country by many Letters from London which were printed in the papers here. This served not only to strengthen my Resolution, but has contributed to make my Conduct on this Occasion most generally applauded.

I am in great hopes that I shall soon receive Orders or Leave to come to England Such a movement would be very timely on many Accounts; And I am sure that I could be of more Service to his Majesty at the present Time, at London than at Boston.

I am &c

The Right Hon^{ble}
the Lord Visc^t Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON July 25 1766

MY LORD

I beg Leave to introduce to your Lordship M^r Paxton a Gentleman of Boston who has been in the Service of the Crown in the Custom House the best part of his Life with the highest Fidelity & Reputation. His Intimacy with me & knowledge of my Conduct and the Cheif Motives of it will enable him to satisfy your Lordship in all Matters of Enquiry which you shall want to make concerning me. And his perfect Knowledge of the Business of the Custom house will make him a fit person to be referred to in Regard to any Complaint that has been or shall be made against me. And your Lordship will generally find him very intelligent in the Affairs of this Country

I am &c

Lord Barrington

LORD BARRINGTON TO GOVERNOR BERNARD²CAVENDISH SQUARE Sep^r 11th 1766.

DEAR SIR,

I am to acknowlege two Letters from you, one dated the 5th and the other the 25. of July. The last was brought to me by M^r Paxton, with whom I have conversed on your Subject. He is very much your friend, and if I see occasion to trouble him farther, he has allow'd me to do it. I am very sorry to hear by him that my Cousin has been indisposed; but he assures me she is much better. I find that your old

¹ "Bernard Papers," vol. v (Letter Book), p. 140.

² *Ibid.*, vol. xi (Correspondence), p. 31.

friend M^r Temple has sent home some Complaints against you; but I am persuaded the Treasury will not judge from a partial reason.

Your Letter of the 5th of July mentions those unhappy differences between your Excellency & the Assembly of which I had indeed heard before. That Circumstance may incline you more than before to return hither for some time: I hope whenever you come, that you will be hear'd patiently and your opinion have the greatest weight. Nobody will embrace you with more satisfaction than my self.

Since my Last Lord Hillsborough has return'd to the Board of Trade. I trust that we have a deciding Ministry, (all the world agrees that it has ability.) and that it will be permanent: I hate changes, and I am always with great truth & Esteem Dear Sir

Your most faithful

humble Servant

BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON, Sept^r 1, 1766.

MY LORD,

I am much obliged to your Lordship for your kind letter of June 8; wherein you observe the different Opinions of two of my friends on the Subject of my return. M Jackson expects no Advantage from thence, either to the public, or myself; M Pownall apprehends me to be in danger where I am: I fear they are both in the Right. From all Accounts we learn that the Councils of Great Britain are in such a State of Instability, that the Measures necessary to the Support of

¹ "Bernard Papers," vol. v (Letter Book), p. 144.

the Sovereignty of Great Britain over America, cannot at present be pursued; & the misfortune is, that from the same Cause, they are becoming evry day more & more necessary. The Americans see the Weakness of Great Britain, arising from their internal Divisions; & from thence they are encouraged to form pretensions, which they would not have dared to have hinted at, if they did not depend upon the Disunion of the Sovereign State. In such a Case, I can be of no Service to the publick, let my Informations be ever so Authentick, or my Advice ever so salutary. But then the Consequence is, that it is high time for evry Crown Officer in America, who has distinguished himself by his fidelity to the King, to get away before his retreat is cut off. If the Administration of Great Britain is not able to take necessary Measures to support its Authority over the Colonies, it cannot be expected that they should be able to protect the King's Officers against the popular power of the Colonists; which must be evry day encreasing at the Expence of Great Britain.

M Pownall has long ago expressed great Concern at the danger I am in at this Place, and with Reason; for many People here have wondered at my having hitherto escaped: perhaps my firmness has contributed to it; but that won't do at all times. I think the Trial is still to come, especially as I have of late found myself obliged to strike some bold Strokes on the behalf of the King; which, tho' they have been generally approved of, will excite some of the Wickedest people who are hurt by them, to do me some singular Mischief. I advertised M Pownall of the Necessity of this Conduct of mine, some time before it took place; & from thence argued for the Propriety of my being ordered home at the present. The Crisis which I apprehended most danger from, is the Introduction of King's Troops into this Town; which having

become necessary to the Support of the Government, will be placed to the Account of the Governor : altho' I¹ know nothing of the Designations for that purpose, & it seems intended that I shall not. The Faction at Boston have declared that they will not suffer Troops to come in this Town ; & if they come cross the Country, (as has been reported) that they will never reach this Town. Now, tho' I dont think that they will dare to oppose the King's Troops in form, yet they are like enough to resort to the Cowardly Expedient of avenging themselves on the King's Servants, defenceless as they will be, before they will have the protection of the Troops. And after the Troops arrive, I shall have a difficult part to act : if I seem to depend upon their protection, I shall be charged with pusillanimity ; If I totally disregard it, perhaps my Confidence in my own Innocence² & the Security, which ought to arise from hence, may be turned to my Ruin. And yet it is strange³ to say that I am charged here with no other offence against the People, than the high Sense I have of the Sovereignty of Great Britain, & my duty to support it _____ I therefore wish that I may receive a discretionary power to go to England, if it becomes necessary ; that at least I may not be obliged to stay here, when it is no longer safe for me. I shall be very unwilling to take an expensive Voyage to no purpose ; it would make too great a hole in my fortune : but possibly I may have no Choice, or the Alternative may be much worse.

I have been very loath to turn my Eyes from this Province ; it is rather too late in Life for me to form new Schemes ; & therefore it was my Intention rather to endeavour to get this Government improved (as it ought to be at all Events)

¹ Followed by "have," then crossed off.

² First written "Ruin."

³ First written "hard."

than look out for a better: But this Purpose, in the manner I intended it, is defeated by the late Troubles; and no Improvement can be made in this Government but with the high hand of Parliament: So that It will be a¹ vain attempt to get my Salary augmented with the good will of the present Rulers of the People. And now it seems to me that there must be, sooner or later, effectual Measures taken for reforming this Government, which will be displeasing to the People in their Present Plenitude of Power. In such Case the Old Gov^r will be made obnoxious, whether he is or is not² advising or privy to such Measures: & it may be advisable upon that Acco^t only, to appoint a new Gov^r. This Consideration has induced me to think of looking out for another Establishment: & I have been the more encouraged in it, by the many Letters rec^d here, advising that it was intended to remove me to a better Government; one of which, from a Gentⁿ who has admission to some great People, expressly named Jamaica. There are now vacant 4 Governm^{ts}, Jamaica, Leward Islands, Barbadoes, & Nova Scotia. The two former I should decline upon account of the Climate; which I apprehend would not suit my sanguine Complexion: & the State of my Family obliges me to have some regard to my Health. Barbadoes I should most thankfully accept. Nova Scotia at another time, I should consider as a banishment: but even that would be more acceptable, (especially if I could have it upon Terms more advantageous³ than the present) than to be left here to fight the King's Battles, without protection, support, or maintenance. It is said that Lord Cha^s Greville is to be removed to Jamaica: South Carolina, which I should decline, if I had a prospect of being quieted here with an adequate Salary, would be more

¹ Followed by "high," then crossed off.

² Followed by "obnoxious," then crossed off. ³ First written "acceptable."

agrecable, than to be left here in my present Situation. You see, My Lord, What a distraction of wants & wishes I am reduced to : & I would fly away from it, in hopes of negotiating for myself to some purpose, if I had any prospect of Success.

I have made this Letter longer than I intended, for which I must depend upon your Lordships usual Indulgence. I wish your Lordship would give M Pownall an Opportunity of perusing this Letter, & afterwards talk with him upon the Subject : in this Expectation, I shall say the less to him upon it. I expect to hear from M^r Jackson by the first Ships from London, & then perhaps shall learn what is intended to be done with me : at present your Lordships Letter is the only one I have rec^d upon the Subject.

M^{rs} Bernard joins with me in respectful Compliments to your Lordship.

I am, with the Greatest regard
&c, &c, &c.

Lord Visc^t Barrington.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Sep: 14 1766

MY LORD

I wrote to your Lordship the first of this Month by a Ship which sail'd from hence last Monday : this was in Answer to your Lordships of June 8 ; & will serve to show my Distraction of Mind concerning what is best to be done with me or for me. Since that I have received sev'ral Letters from M^r Jackson from whence, with the Help of some reflexion of my own, I have quite reconciled myself to my continuing here untill the Affairs of America are more ripe : & I have per-

¹ "Bernard Papers," vol. v (Letter Book), p. 155.

suaded myself that I shall be able to stay here with a very probable prospect of Safety. / Whilst I am perparing to write to your Lordship to this purpose, I received your Lordships letter of July 12, which has again put me into a State of uncertainty of the pleasing Kind. It is a Pity that there should be any Interval between the Indulgence of America & the Reformation of it: because in such Case, The Former instead of being subservient to the latter will impede it. It is therefore much to be wished by ev'ry one, who has the prosperity of the British Empire at Heart, that such a Ministry may be formed, who may have power as well as Judgment to reunite the different Members to its Sovereign Head upon true principles of Constitutional Policy, without which all Temporary Expedients must fail.

And I perfectly agree with you Lordship that untill such a ministry so disposed is formed it will be to no purpose for me to come to England: unless I shall be called with an Intention of preferment. And I shall entirely acquiesce in waiting 'till your Lordship sees the proper Time, & shall give a Direction to the Opportunity which shall offer for its Improvement

I am &c

The right hon'ble
the L^d Visc^t Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Oct. 15 1766

MY LORD

I beg Leave to introduce to your Lordship Chambers Russel Esq^r Judge of the Court of Admiralty & one of the Judges of the Superior Court of this Province. He goes to London to endeavour to procure an Appointment of a Salary to his Office having for 20 Years past served his Majesty, too much at his own Expence; tho with great Fidelity & Reputation. His having been a Member of the Council for many Years & for these 3 or 4 last Years, by his own preference, a Member of the House of Representatives, & in every Station a faithful Supporter of the Rights of the Crown, He is extremely well qualified to represent the True State of this Province both as to its Government & its Governor, as he is well acquainted with the Merits & Demerits of them both: and it is for that purpose as well as to put him in the Way of your Lordships Notice that I take the Liberty to recommend him. The Honor or Favour which Your Lordship will be pleased to shew him will be conferred on a very deserving Man

I am &c

The Right Honble

The Lord Visc^t Barrington

¹ "Bernard Papers," vol. v (Letter Book), p. 164.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE Dec^r 13. 1766.

DEAR SIR,

I fear I have not acknowledged either of your Letters dated in April :² The first of them expresses an earnest wish to leave Boston, the second a willingness to remain there. As there is no inconstancy in your mind, I conclude this change arises from your finding before the middle of the month that no Troops were coming into your Province; a circumstance which you apprehended a fortnight before, & which you thought would lay you under great difficulty. Be assured that your wishes will be always accompany'd by mine.

I have never had any intimation from General Gage that he intended to send Troops into New England. He knows my opinion, which is that they should not be quarter'd in the old Colonies which have been long settled and inhabited, unless call'd for by the Civil Magistrate or Government of the Province, as necessary to preserve the publick peace. I open my self very freely to you, and know that I may safely trust your discretion.

We have lately had some considerable changes here: I need not mention names or offices, as the publick papers will give you full information of those Particulars. It seems to me on the whole that there was both passion and faction in the resignations. The Minister (who declares himself the strenuous opposer of faction) would willingly have brought in several of the Duke of Bedfords friends as individuals; but they wanted to come in as a Body, which was not permitted. The vacant offices have been given partly to old

¹ "Bernard Papers," vol. xi (Correspondence), p. 53.

² There is no letter of this month in the "Bernard Papers."

Servants of the Crown displaced by different administrations, & partly to Men who would take Employment by themselves. I think on the whole that the arrangement has been well made; & I have a very good opinion of the stability & strength of Government: I hope it will soon turn its consideration to the Western as well as the Eastern part of the Globe. Lord Hillsborough has left the Board of Trade where he was not situated to his Satisfaction, & is intended for high & important employments when vacant, but at present he is one of the Post masters General. M^r Nujent (created Lord Clare in Ireland) is at the head of the Board of Trade.

I beg you will assure all my Cousins of my affectionate regard, and that you will believe me to be Dear Sir

Your Excellency's

most faithful & most obed Servant

BARRINGTON

Turn over

P.S.

A few days ago I reced a Letter of introduction which you had given to a Gentleman who dyed at his landing at Portsmouth. From the Character you give of him I much regret him & think him a great loss at this Juncture.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE Feb. 13. 1767.

DEAR SIR,

I take the opportunity of to morrow's packett to acquaint you that no great alteration has lately happen'd here in publick affairs. Lord Chatham's gout at Bath has postponed many weighty considerations and among others the affairs of America

¹ "Bernard Papers," vol. xi (Correspondence), p. 65.

which I fear grow more difficult every day and certainly will not become easy by procrastination.

Let this short note assure you, M^{rs} Bernard & all my Cousins, that I am anxious at all times for your happyness & wellfare, being with the greatest truth Dear Sir

Your most faithful
& most obedient Servant
BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Jan 20 1767

MY LORD

I continue to learn that your Lordships Opinion is full against my coming to England at this Time. I am therefore absolutely satisfied with this Determination altho' this place continues to be made as disagreeable to me as it can well be without Apphension of Violence. I call to my Aid what philosophy I am Master of, which is partly native & partly acquired & does me great Service. I am also much releived by the frequent professions of Regard which I receive from the most respectable persons in the province, some of whom are fellow sufferers. And I contrive to contrast my Labours with amusements of different Kinds of which I have a considerable Fund within myself. So that upon the whole I I go on pretty well, & have not, I hope, lost an Ounce of flesh in all my Troubles.

But, my Lord, I cant help thinking now & then what is to be the End of all these Things both as to the public & myself. It is evident to me that Great Britain must interpose with the Governments of America some Time or other. But

¹ "Bernard Papers," vol. vi (Letter Book), p. 9.

it is fitting that the Ministry should see this at their own Time & prosecute it in their own Manner. Whilst Things are in Suspence I am willing to act in such a Manner as shall be most agreeable to my Superiors; let it only be pointed out to me. But it should not be expected y^t I can keep up government, without Authority, or regulate a people elevated by Success & made impracticable by inadmissible pretensions, without Support or Maintenance, When I have said that this Government is not like to recover itself by any powers of its own, I have spoke, not my Own Opinion, but the Sentiments of the ablest and wisest Men in the province. For my part let my Conduct be brought to the severest Test, and it will appear that the present Difficulties do not arise from me; for which a Review of my Administration for the four first Years will afford an irrefragable Argument.

For this purpose, being cut off from the Hopes of representing these Matters in person, I have found myself obliged to endeavour to do it in a Series of Letters to the Secretary of State. This will be a disagreeable & tedious Work: but, as far as I can Judge, it is unavoidable. My Letters on this Subject are & will be very lengthy; and yet I know not how to contract them. I am sensible that long Writings are liable to be not well attended to: but the Subject is so important, that I cant venture to omit what is like to fling Light upon it. & so I must leave myself & my Writings to the Candour of the Minister.

Another Step which I have taken is to make a Formal Representation of the present Income of the Governor & a petition ¹ for an Addition to his Salary. This I have intended to do ever since I have been Governor, & have only waited for a proper Opportunity: which I have thought to have oc-

¹ See Appendix II.

curred now by my being ordered to transmit to the Treasury an Account of the Annual Expences of this Government; & therefore concluding that this Matter would soon be brought upon the Carpet, I have made this Representation by a Memorial to the Secretary of State, & a petition to the King in ¹ Council both nearly in the same Terms. In these I have shewn by what Means several Defalcations have been made from the Income of the Governor so as to reduce it to its present Sum, £1075 p^r An which I have proved to be the sum total of the Salary Fees & profits whatsoever of the Governor for these two Years past & like to remain so. This, I have ventured to say, is not a competent or honorable support for a Governor of an extensive populous & rich province living in one of the principal Capitals of America. And I have asserted that my annual Expences have often amounted to a greater Sum; & cannot be kept within the Bounds of that Sum, but by a Aconomy which must impair the Dignity of the Office.

M^r Jackson in a Late Letter writes that he thinks it very possible I might change my Government if I wisht it; & offers his Assistance if I have such a View. I write to him that near 5 Months ago I wrote to your Lordship on that Subject & then gave Reasons why it might be necessary for me to change my Government; & that these Reasons have not since seemed to lose their Force. I add that at that Time there were sevrал valuable Governments vacant; of which I should decline Jamaica & the Leeward Islands upon Account of the Climate, that I should be very thankful for Barbadoes, & should thankfully accept ² S Carolina if that Governor went to Jamaica. That I had not much expectation of Success, unless I could attend the Sollicitation myself;

¹ First written "&."

² Followed by "Barbadoes," then crossed off.

and it was upon that Account among others that I was desirous of being ordered home. Upon the whole I desired M^r Jackson to talk with your Lordship; and if any Thing is to be done, to endeavour to steer it so as to give your Lordship as little Trouble as possible. My present disagreeable & dangerous Situation is my only pretension for troubling your Lordship at all, after I have allready received so many Favours from you. But this State of Inquietude Uncertainty & Hazard obliges me to neglect no Means which afford a prospect of Releif.

I have the pleasure to inform your Lordship that M^{rs} Bernard is got into pretty good health & begs leave to present her compliments to your Lordship together with mine

I am &c

Right honble Lord Barrington

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE March 13th 1767

DEAR SIR,

I fortunately received your Excellency's Letter of the 20th January soon enough to acknowlege it by this Packett. I will endeavour to see M^r Jackson soon, and talk with him on your Situation, which I confess to be very disagreeable; and therefore on your Account (tho not from any publick consideration, far otherwise) I wish you removed to some other Government agreeable to your inclination and Circumstances. I think however that I cannot be of any use to you in that pursuit; for the comfort of my life consists in my independency, and no man can be independent who solicits even for his friends. It is very hard after the uni-

¹ "Bernard Papers," vol. xi (Correspondence), p. 67.

versally acknowledged Services you have done, & risks which you have undergone, that you should have occasion to ask any thing either personally, or thro' others; but the World is so made that the most just debts are not paid without dunning. On the whole, if you are determined to leave Boston when an opening shall offer else where, I think you should communicate your wishes to the Secretary of State for the Southern department, and I am sure you may do it in a way neither importunate or assuming. As to an Augmentation of your Salary, I think there is no ground to hope for it, unless some American fund can be assign'd for the purpose.

I am very glad to hear M^{rs} Bernard's health is better. My Cousin your Son calls on me sometimes & tells me he is going to you. I wish him and all your family all possible happiness and success, for I am very sincerely to them and to you Dear Sir

A most faithful &
obedient humble Servant

BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON May 20 1767

MY LORD

I have this Moment received your Lordship's Letter of March 13 & take an Opportunity to acknowledge this & your former favour by a Ship which will sail early to-morrow.

I so much approve of the principles of your Lordships Conduct in Regard to Solicitations, that I would by no means break in upon them. But as there are more Ways of assisting a Business than the direct, & some of them very consistent

¹ "Bernard Papers," vol. vi (Letter Book), p. 23.

with the Independence you desire to preserve, you will still permitt me to explain to your Lordship my Difficulties, my Wants, & even my Wishes, when reasonable; at the same Time professing my Desire not to engage your Lordship in any pursuit inconsistent with your System.

I find it necessary to suspend my purpose of solliciting a Removal untill I learn the Event of my Sollicitation of an Augmentation of my Salary. If that should be rejected, it will give me a fair pretence to ask publickly for another Government; if it should succeed, it may make a change not desirable. I have had no Thoughts of charging such an Augmentation on the British Establishment; tho' perhaps it may facilitate the Business for Great Britain to advance the first payment as a loan. American funds for their own Civil Lists will allways be in the power of the Administration; & therefore I ant think it will be long contested, after the Americans find it is resolved upon.

I really think, without Vanity, that at this Time my removal from hence would do disservice; for the Faction, tho' the Change were ever So much to my Advancement would triumph upon it. Indeed all Removals of Governors in Compliance with the Illtemper of the People serve to increase that illtemper: it is nothing but humouring a froward Child. This Government feels to this Day the ill Effects of Gov^r: Shutes not being sent back with an Increase of Salary & Authority; and the giving him an Equivalent to his Satisfaction has not prevented or lessened the mischeivous Consequences of his being displaced.

Next Week The New Assembly meets & the Election of new Councillors takes place. Many people think that the Change will be for the better, I doubt it: for the Distemper contracted by the Stamp-Act seems to be too deeply rooted

to be cured without physick; none of which has been applied as yet, unless what has encreased the Disease may be called so. However I must suspend considerations for myself, untill I see what turn the public Affairs will take; which a Month or less will determine

M^{rs} Bernard is in pretty good Health not established. All my Children are perfectly well. I begin to expect my eldest Son every Day. I am with M^{rs} B's compliments & my best Respects

My Lord, &c

Lord Barrington

LORD BARRINGTON TO GOVERNOR BERNARD¹

BECKETT July the 8th 1767.

DEAR SIR,

A few days since your Letter of the 20th of May was sent to me hither; and I find by it with great satisfaction, that you are well, and M^{rs} Bernard much better than she was. I flatter my self that your son is before this time safe at Boston.

I most sincerely wish that your Salary may be so augmented, as to render your continuance desireable where you are. All changes are troublesome & expensive; and as a good Englishman I must hope that you may remain in your present Government. No man ever serv'd this Country so essentially in that, as you have done. This is almost the universal opinion, tho' some have vainly endeavour'd to insinuate the Contrary.

When I left London about ten days ago things were in the most unsettled state imaginable; and tho' the Parliament

¹ "Bernard Papers," vol. xi (Correspondence), p. 71.

has been since prorogued, I do not find that any thing has been done. Lord Chatham's illness continues, he is still incapable of the least business, and his friends in Administration are afraid to act on their own Judgment, least when he returns to a state of Activity he should disapprove their proceedings: In the mean time we are absolutely without Government.

I intirely agree with you in every opinion you express relative to America:: What has been hitherto done by each Administration was wrong, there is the most urgent reason to do what is right, and immediately; but what is that right, & who is to do it?

The Packett sails next Saturday & I shall not return to London till this day Sennight: God grant that I may be able to send you a more Comfortable Letter by the Packett following!

I am with my best Compliments to all my Cousins & with the greatest truth & Esteem

Dear Sir

Your Excellency's

most faithful

& most obedient Servant

BARRINGTON.

M^{rs} Yeamans dyed
last month.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE Oct^r 6: 1767.

DEAR SIR,

I have lately heard your Panegyrick from Persons who are able to serve you. I understand there is a wish to give you some better Government, as a reward for your good conduct where you are. It is not impossible when vacancies happen that I may be ask'd what alteration of Scene would be agreeable to you. That I may be enabled to give a *useful answer*, be so good as to inform me what Governments would, & would not be agreeable to you at the present moment. Perhaps information on this head may be of use, perhaps of none; but your eventual Instructions can do no harm. I need not exhort you not to form sanguine expectations from the hint I now give you: The Times are very uncertain; and when they are most fixt in this Country, a thousand accidents happen between the Cup & the Lip.

In this Conversation I plainly perceivd the strongest desire that America should grow quiet; that no disputes should arise between the mother Country & it's Colonies, or *between Governors & their Assemblies*. I venture to give you this hint. for your information and guidance; not wishing that you should give up any thing on your side of the Atlantic Ocean which is materially valuable to this. I am with my best Compliments to all my Cousins Dear Sir

Your Excellency's

most faithful & most obedient

humble Servant

BARRINGTON.

¹ "Bernard Papers," vol. xi (Correspondence), p. 91.

LORD BARRINGTON TO GOVERNOR BERNARD.¹

CAVENDISH SQUARE Jan : 8. 1768.

DEAR SIR,

Probably I shall not convey to your Excellency the first news of a determination to separate America from the Southern department of Secretary of State, and to appoint Lord Hillsborough third Secretary with the care of the Plantations &c. I need not make My Lord's Panegyrick to Governor Bernard, or recommend the Governor to his Lordship. They have a mutual good opinion of each other, and the Business they must have together will be transacted to the satisfaction of both.

I think the new Arrangement on the whole very properly made, and I am of opinion it will produce a permanent administration, so necessary for this Country and particularly in respect to its Colonies.

I beg you will present my best Compliments to all my Cousins and beleive me to be with great truth

Dear Sir

Your most faithful

& obedient humble Servant

BARRINGTON.

¹ "Bernard Papers," vol. xi (Correspondence), p. 111.

GOVERNOR BERNARD TO LORD BARRINGTON¹BOSTON Jan. 26 176[8]²

MY LORD

I have just now received the Duplicate of your Lordships Letter dated Oct: 6, the Original not being come to hand, as the Oct^r Mail is not yet arrived. I am also indebted for your Lordships Letter dated July, 8, which did not arrive till Oct^r 10. I had deferred acknowledging the last mentioned, in Expectation that I³ should recieve some advices which might direct my Answer to Your Lordship; but they are not arrived yet tho' daily expected. However I have so many matters to write upon to your Lordship, that I shall begin now; And as my Subjects are various I shall digest them into separate letters; in which the preference will be due to that which is the most public & interesting concern.

Your Lordship observes that there is a strong Desire that America should become quiet, & that no disputes should arise between the Mother Country & its Colonies or between Governors & their Assemblies. I have had many hints & have given the utmost attention to them & pursued their purpose as far as I could do consistently with that Rule wisely laid down by Your Lordship that nothing should be given up on this Side the Atlantick which is materially valuable on Yours. To prevent disputes between the Mother Country & its Colonies must be the Work of Great Britain: No Man in the Colonies, not all the Governors in America, tho' they could act with one Mind and with the best Understanding can of themselves bring about so desirable an Event.

¹ "Bernard Papers," vol. vi (Letter Book), p. 67.

² This letter is indexed under 1768; the draught is dated 1766 with a 7 written over the final 6. The date given in the index is clearly the correct one.

³ The words "did not" followed, but were crossed out.

Upon this Subject I shall write to your Lordship by a separate Letter.

The preventing Disputes between the Governors and their Assemblies is easily effected, at least will probably be soon brought about in this Province. I have shown the Assembly the natural and constitutional Power of a Governor here, whilst he keeps himself Blameless and is supported from home; And have falsified that prevailing Notion that a Governor of this Province cannot withstand a popular Clamour. Otis himself has given up the Question and says it is to no purpose any longer to oppose me: And some of his Colleagues have already made peace with me. The Assembly has now sate a full Month & have not shown the least Intimation to Dispute; on the Contrary they have shown a good Disposition to avoid and to remove the Causes which have occasi~~ed~~ed it before. So that it is probable that America may become apparently quiet notwithstanding their present pretensions. But, my Lord wounds may be skinned over without healing; and a Calm may be more dangerous than a Storm. It is my Opinion that Great Britain will never be safe till the Wounds are probed to the Bottom and a Remedy applied that will prevent the Return of the Disorder. This must be the work of Parliament, and tho more difficult than it was some Time ago, is still very practicable; in what Manner, I will explain in my Next

I am &c

Viscount Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

MY LORD

BOSTON Jan. 28 1768

I understand that it is a prevailing Opinion on your Side the Ocean, that America, if let alone, will come to herself and return to the same Sense of Duty and Obedience to Great Britain which she professed before.² But I beleive no considerate Man on this Side of the Water has any such Expectation. If indeed the late Animosity had arose wholly from a Particular Transaction which stood on its own Bottom and had no Relation to any other Matters, upon removing the Cause, the Effect might³ cease. But when it⁴ is founded upon Principles equally⁵ applicable to other Transactions which may⁶ arise in the Course of Government, the Animosity may seem to die, but it will only sleep; & will revive whenever such principles are again applied to other transactions, that is whenever the Parliament shall make Ordinances, which the Americans shall not choose to obey.

It was easy to be foreseen that the Distinctions used in Parliament in favor of the Americans would be adopted by them and received as fundamental Laws. It would signify nothing what the Number was⁷ which rejected them: the Respectableness of the Names of those who introduced them and the apparent Interest of the Americans in maintaining them would outweigh all the Authority of Numbers for the Contrary Opinion. It was also to be foreseen that the Ameri-

¹ "Bernard Papers," vol. vi (Letter Book), p. 70. Another copy in manuscript of this letter differs so much from the above that it is given in the Appendix I, p. 245.

² At first "4 Years ago," then changed to "before."

³ At first "or Purpose would," then changed to "might."

⁴ At first written "this Animosity."

⁵ At first written "which are."

⁶ This was followed by "continually be expected to," and then crossed out.

⁷ Followed by "of the Majorities that," then crossed out.

cans would carry these Distinctions much farther than was intended by the introducers¹ of them, even so far as to annihilate them. But yet these Distinctions never gave me Concern, because they carried their Remedy with them: if they were hurtful² to the American Constitution, they had an Antidote at hand; like the antient Spear if they wounded they cured also: If the Parliament can't tax the Americans because they are not represented, they can allow them Representatives and then tax them.

Let³ us state the Assertions in parliament in favour of the Americans and the Use which has been [made] of them in America and see how far the chain of reasoning can be extended. It⁴ was said in parliament that 1. The Parliament has no Right to tax the Americans because they have no Representatives in Parliament. 2. But they have a Right to impose Port Duties or external Taxes, because such Duties are for the Regulation of Trade. 3. The Difference between an external and internal Tax, is that the former is imposed for the Regulation of Trade, and the latter for raising a Revenue. From⁵

¹ First written "Promoters."

² First written "noxious."

³ First written "Let us state these Distinctions and the Consequences [illegible] the Americans have drawn from them and endeavour to form a Logical Chain," then changed to read as above.

⁴ Followed by three illegible words which were stricken out.

⁵ At first this was written as follows, then entirely crossed off:—
[~~"American Consequences," stricken out.~~] 1. Whatever Tax is imposed for [~~first written "the Regulation of Trade" and then crossed off~~] raising a Revenue is an internal Tax. 2^d Port Duties imposed for raising a Revenue are internal Taxes. 3. The Duties imposed on the Colonies by the 7th of Geo: 3^d being expressed to raise a Revenue are internal Taxes. 4. The Duties imposed upon the Colonies by the 6th of Geo. 3 being directed to be paid into the Exchequer for the Use of the Government are a Revenue. 5. All Duties imposed upon the Colonies to be paid into the Exchequer are a Revenue. 6. All American Port Duties raising Money to be paid into the Exchequer for the Use of the Government are internal Taxes. 7. The Americans are not obliged to pay any port Duties they being internal Taxes imposed by a Parliament in which they have no Representatives.

these positions ¹ it is argued in America that 1 Port Duties imposed for raising a Revenue are internal Taxes. 2 Port duties ² of which the produce is to be paid into the Exchequer for the use of Government are imposed for raising a revenue. 3 The produce of All the ports duties imposed upon America is ordered to be paid into the Exchequer for the use of Government 4 All the port Duties imposed upon America are internal Taxes. The only Difference between the Port duties declared ³ to be for raising a Revenue & those of which no such declaration is made is that in one the Intention is explicit; in the other it is implied: the effect of both is the same.

My Lord this is not a fictitious Argument but a real one, now urged and insisted upon, as the Terms of a good Agreement between Britain & her Colonies. For Proof of which I shall enclose to your Lordship a Series of Letters ⁴ printed originally at Philadelphia,⁵ and reprinted throughout the Continent: In these you will find all these positions before laid down, except that they are not expressly carried to their full Length, tho they certainly are consequentially so. What then shall be done? Shall the Parliament make a new declaratory Act? See! here are Counter declarations to that. Shall they take no Notice of these American Pretensions? they then will be confirmed in the Minds of the Americans, and really become, what they are now proclaimed to be a Bill of American Rights.⁶ There is nothing left to be done to get rid of these Difficulties, which arise wholly out of the

¹ This paragraph was written on a small piece of paper and seems to be intended as a substitute for the crossed off portion.

² First written "Taxes" then changed to "Port Duties."

³ First written "expressed."

⁴ Followed by "supposed to be written at New York, but" and then crossed out. These were John Dickinson's "Letters from a farmer."

⁵ Followed by "& in this Town" and then crossed out.

⁶ Followed by "No:" and then crossed out.

Political dissensions at Westminster; but to allow the Americans Representatives: this will cut up their Pretensions by the Roots; it has been for above 2 Years expedient, it is now become necessary.

In one of the Papers enclosed is a Speech extracted from a London Pamphlet said to have been spoke in the House of Lords¹ which has been reprinted in the American Papers. The whole Argument of this does not tend to shew that the Americans ought not to be taxed; but that previously to their being taxed they ought to be allowed Representatives. This has been² extremely well received here, altho' the Conclusion is for an American Representation. If this was really the Speech of a³ Lord of that House It⁴ might have been properly answer'd by admitting the Conclusion and thereby avoiding a dispute⁵ about the Premises. If the Americans should be allowed Representatives it would become a Question merely speculative whether Representation is necessary to Taxation or not./ And yet the Americans in general do not desire a Representation, tho' the Publications on their Behalf all tend to that Conclusion; and some of them seem Calculated to force the Parliament into that Measure as the only one which would satisfy their Pretensions. How is this to be reconciled? thus: tho the People don't see their Intrests in having Representatives; yet their Leaders do theirs in being representatives and some of them have never lost Sight of this View since the Troubles first began. Without this it is impossible to account for the popular Writers found-

¹ As first written; "by Lord C——m (in the original it is more properly printed Lord C ——n)."

² Followed by "so," then crossed off.

³ Originally written, "the learned Lord whose Name it is supposed to bear."

⁴ First written "It should," then changed to "It might have been properly."

⁵ First written "avoid disputing."

ing all their Arguments upon the Want of Representatives, and resting their whole Cause upon one Pillar, which it is in the Power of the Parliament at once to remove, and let the Whole Fabrick down to the Ground.

† See PS ¹

*And old Member ² who had before in Vain opposed the House making Representations against the late Acts of Parliament,³ told the House that they had nothing now to do but to consider whom they should choose for their Representatives in parliament; for If their Application had any Success, it would have that Effect. He therefore bespoke their Favour on behalf of a Merchant, who desired to have the Honour of fitting out the Ship which shall carry their Representatives home; which he offered to do for half what they would sell for when they came there.

This has been a serious Objection that American Representatives would be subject to undue Influence; another is that the Colonies would not be able to maintain them. Both these, which contradict each other, would be more easily answered than a more material Objection, which lies at the Heart; that an ⁴ American Representation will absolutely take away all Pretence of disputing the Ordinances of Parliament. The Plan of an American Representation will admit of the Continuation of Provincial Assemblies for the Purposes of Domestic Government: and therefore no Objections have been drawn from the Cessation of inferior Legislatures, the Supposition of which would create infinite Difficulty.

¹ The letter from this point is involved. In the final draft the P. S. on p. 138 undoubtedly appeared here.

² Followed by "of an Assembly having," then changed to "who had before."

³ Followed by "when the Business was over," and then crossed off.

⁴ First written "the."

Upon the whole my Lord, if there was no Necessity for the Appointment of an American Representation; (which I think there is & that very pressing) The Idea of it greatly enlarges my View of the Grandeur of the British Empire. And if there is any Danger of its falling to pieces, which surely cannot be toomuch provided against, It seems to me that Nothing would so Effectually guard¹ against so fatal an Event, as binding the Colonies to the Mother Country by an incorporating² Union And giving them a Share in the Sov'reign Legislature. If this was done there could be no Dispute about American Rights and Priviledges; and an Opposition to Great Britain would have but one Name. And then we might expect a Longer Duration to the entire British Empire than desponding Politicians in its present critical State are willing to promise.

I am &c

Visc: Barrington

PS:

In writing the foregoing Letter I have avoided, as much as possible evidences of locality; that, if your Lordship should think proper to communicate it, by transcribing it and leaving out the Name and local Date, the Writer of it might not necessarily appear. I therefore omitted what has passed in our Assembly, except one Short Story, which was not necessarily local, concerning Representation. At the Opening of this Session a noted Speaker, who during the whole of last Winter had joined the Opposition to the power of Parliament and gone great lengths in his Assertions against that Power, now in a set Speech retracted all his former Opinions, and said that he had fully informed himself of the Relation be-

¹ Followed by "Great Britain," then crossed off.

² First written "aconomical," then changed to "incorporating."

tween Great Britain and her Colonies, & was convinced that the Power of parliament over the Colonies was absolute, with this Exception, that they ought not to tax them untill they allowed them Representatives. That when the Colonies had representatives, the Power of Parliament would be as perfect here as it was in England. He then argued in Favour of a representation & said that it was now become a Measure necessary both to Great Britain and the Colonies, for the healing the breaches between them.

This surprised the House a good deal; but some Time after their Eyes began to open: A Member on the Side of the Government charged the leaders of the Opposition with an Intention to make an American Representation necessary by the Objections they made to all Acts of parliament for Want of Representatives. The Proofs he adduced together with the unequivocal Answers given on the other Side, left little Doubt but that there was such an Intention. Upon this see * letter that ¹ Brig^d Ruggles (the old Member mentioned in my Letter) made his proposal for carrying the Representatives home. If they will not be obedient to Parliament without Representatives, In Gods Name let them have them,

I need not, perhaps, mention to your Lordship that a Review of my Letter dated Nov. 23 1765. will be of use in the the Consideration of this

¹ First written "It was Upon this occasion that" then changed to "Upon this see letter that"; see passage marked with an asterisk on p. 137.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE March 12. 1768

DEAR SIR

Last Packett which arrived two or three days ago brought me two Letters from you, dated the 26th & 28th of January: I am very much obliged to your Excellency for both, but I am unable to answer them as I ought. The Packett to North America goes off to night, and the Election orders which go all over Great Britain at the same time, make such full Employment for the War office, that I have been thoroughly busied for some days past: I also set out for my own Election at Plymouth to morrow.

I have communicated your most ingenious thoughts about American Affairs to my friend Lord Hillsborough. I am sorry to find that a man so knowing in what relates to that Country as your self, is of opinion that nothing can put a real end to our difference with our fellow Subjects there, but a representation from thence. Without entering into that subject, I may venture to say that the proposed expedient is impracticable, as no Influence could make ten Members of either House of Parliament agree to such a Remedy.

I hope this Letter will find you and all my Cousins perfectly well. I rejoyce that your prudence & spirit have conquer'd faction in New England: I most cordially wish it were subdued on this side of the Ocean. I am with the greatest truth & regard Dear Sir

Your Excellencys

most faithful &

most obedient Servant

BARRINGTON

¹ "Bernard Papers," vol. xi (Correspondence), p. 157.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Feb. 7 1768

MY LORD

I come now to answer the first Part of your Lordship's last Letter intimating the favourable Disposition towards me: and in order to give this Subject a full Latitude, it will be proper to go back to the first movements of it.

It was in Sept^r 1766 that I wrote to your Lordship to solicit a Removal from hence. I was then in a State very distressful, not only uneasy in my Administration but exposed & threatned with personal Danger. And yet under all those Difficulties, I expressed a Desire that I might be made easy here, by supporting my Government & augmenting my Salary The Truth is I did not know where to go or what to ask for. The best Governments in the King's Gifts are in my Opinion the least Desirable, as the Emoluments are, in general, much overballanced by the unhealthiness of the Climates. There were several of the very best Governments vacant at that Time; Jamaica, Leeward Islands, & Barbadoes. I then absolutely declined the two first, altho' the very best Governments in the Kings Gift: Barbadoes I expressed a great Desire for: and indeed it is the only one among the Islands that I have desired. Now that as well as the other two is but just filled: so that the only Object of my Desire in the West Indies is now out of the Question.

In Regard to the Continent, in the Same Letter I intimated that South Carolina, altho' upon Account of the Climate far from being desirable, would in my present Situation (If I had no Prospect of being quieted with an adequate Salary) be more agreeable than to be left here. Soon after I sent away

¹ "Bernard Papers," vol. vi (Letter Book), p. 82.

that Letter, I wrote to M^r Jackson to disclaim S Carolina, upon Account of the disagreeable Inform^{ns} of the Climate which I had then received; of which we have frequently visible Evidences from the sallow Complexions of those Carolinians who come hither to recover their Health. I will here apologise for my exceptionousness in Regard to Climates, by assuring your Lordship that it is not so much on my own account (tho' my Life is made valuable by the tender Age of most of my Children) as it is for the Sake of M^{rs} Bernard, whose frame, naturally delicate, has been much weak'ned since she came here. To follow the Governments along the Continent N Carolina is much in the same Predicament as its Name Sake, & is now full with a new Governor. Virginia being a L^t Government would be no advancement, New Jersey (my favourite in Regard to Situation) would be a degradation. We now come to N York¹ now full of a new Governor also: I should gratefully accept of this if it was to become vacant and be offered to me: but should like better & I think it would be better for me to be properly supported in this Government. They are both of them liable to be harrast by the Spirit of Jealousy of and Opposition to Government which prevails in both & has for some Time past been whetting itself upon each other. But there is this Material Difference between the two Provinces: in N York that Spirit actuates Men of Rank and Ability, in Massachusets it works only with Men of Middling or low Rank; in the Latter the Gov^r has the generality of respectable Men on his Side; in the former they are more generally against Government. Without entring into more particulars, It appears to me that the Administration of N York is more difficult than that of Mass^{ts} especially as I can plainly perceive that this Government

¹ Followed by "my favourite with Regard to Situation," then crossed off.

has received Strength from the Spirited & steady use which I have made of my negating power & the public Approbation it has received. This, with the great additional Strength which it will gain from that wise Parliamentary Measure for providing for the Support of the Governors & Crown Officers, will make it full as necessary for the Leaders of the People to court the Governor as it will be for the Governor to court them.

This leads us to the ballancing the Question. Since the Time when I applied to be removed from hence one Event then despaired of has happened; The Parliament has made a Provision for the Payment of the Governor, & tho' it has not been declared what the Salary will be, yet we must suppose that it will be adequate to the Importance of the Government. Another good event is coming on apace, a Reconciliation between me & the Malecontents. The Assembly has now sat near 6 Weeks, & not the least Disrespect has been shown to me, even by those who were used to be most froward at other Times. On the contrary All such Businesses, as I might be supposed to have an Int'rest or a Will in, have been done in such a Manner as I could desire. And yet they still pursue an Opposition to the late Acts of Parliament by Remonstrances: and at the same Time appears an evident Disposition to restore the Peace of this Government. This will not be dissappointed by the Defeat of their Purposes in Parliament; it will be much more probably improved by it. As for the Salary, a Gentleman of very good Authority assures me it will be £2500; tho' others report that it will be but £2000. If it is the least of these Sums, it will (together with a Restoration of the good Humour of the Government) make a Removal from hence not desirable; especially when the Cheif Governments have been so lately filled as to afford little Prospect of

a valuable Vacancy. It is true this Expectation¹ may be intervented²: for tho' the Act is passed, yet Nothing has been done in Pursuance of it; and it may be repealed before any Thing is done; As the Assembly of the Massachusetts are now endeavouring to engage all the other Assemblies on the Continent to join in remonstrating against it. But I cannot think that there is any Danger of the Parliament's giving Way to such a Combination They have seen toomuch allready of the Abuse of the former Repeal, for which a strong Necessity was to be pleaded, to give Way to another Dictation of the Colonies which is itself one of the Abuses of the former Indulgence. If they should give Way, they may as well at once Repeal all the former Acts of Trade which impose Duties: for they are all included in the same Chain of reasoning.

You see, my Lord, that it is very probable that this Government may be made more desirable to me than another; or at least that I must wait till the Salary of it is settled before I can properly compare it with another. So that all I can resolve upon now is to desire your Lordship, after accepting my most gratefull Thanks for your Kind Care of me, to endeavour to keep alive the favourable Disposition of advancing me, till I can determine what Occasion I shall have for it. In the mean Time I would avail myself of it, with your Lordships Approbation, to obtain leave of Absence for a Year, to be left to my own Discretion whether I shall use it presently or not. For two Things must happen before I should chuse to go to England: I must wait till the Salary of this Government is fixed & put in a Way of Payment: And I should chuse to see the Peace of the Government perfectly restored before I leave this Place. Both these may probably happen before next Midsummer: the first of them will be known to your

¹ First written "Prospect."

² First written "interrupted."

Lordship much sooner than it will to me; and when it does happen, I think with Submission, that it will be a proper Time to make the Request, leaving to me to make Use of the Licence as the other Event shall turn out, more or less, One Thing your Lordship may be assured of, that I will not leave the Province at a Time when my Presence here appears in any Way necessary. But when we get into a little good humour with one another a Short Separation may make us meet again better Friends than before. Besides I shall by this Means have an Opportunity to consider effectually how I can best avail myself of the favourable Disposition towards me, which my present Distance makes Difficult. I have not as yet wrote to the Minister upon this Subject; and shall not 'till I dismiss the Assembly, When I do your Lordship shall be informed of all Particulars. If Leave should be obtained, it will be very expedient that it should be kept secret till I shall Think it Time to make Use of it. I am wth great Grat^e & Resp^t

My Ld your Ldships most obed^t

humble Servant

Visc^t Barrington

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON. Feb. 20 1768

MY LORD

Since I wrote to your Lordship my Letters of Jan. 26 & 28 there has been a considerable Change in our Assembly which has produced a Paper which I think proper to add to the political Papers allready communicated to your Lordship. You must know that at the Beginning of this Session the

¹ "Bernard Papers," vol. vi (Letter Book), p. 94.

Friends of Government had power enough to keep the factious Party of the House in awe. And tho' they could not prevent their writing a Letter to their Agent, another to the Sec^y of State & an Address to the King upon the Subject of the late Acts of Parliament for imposing Duties & constituting a Board of Commissioners of Customs, yet they prevented for that Time the sending circular Letters to the other Assemblies inviting them to join them, by a Majority of 2 to 1.

But the Faction would not be so disappointed; but after having prepared the Way by private Cabals they brought on the Business again when they got a Vote for expunging all the proceedings of the House out of the Journals, & then obtained another Vote for sending a circular Letter to the other Assemblies. This is what I have now the Honor to transmit your Lordship a Copy of: I shall make no Remarks upon it than that your Lordship will find in it a full Illustration of my former Letter. I also send your Lordship a tenth Letter of the farmers Letters, which will I beleive compleat the Set.

The Party elate with their Success on the Circular Letter, immediately after, quarrelled with me: but it is upon a Subject which will do them no Credit & me no Harm. They have put themselves much in my Power, if I was inclined to use Declamation: but I have done with it. However I shall give them a short Answer which will be sufficient to expose them. It is not worth your Lordships while to attend to such Squabbles; and therefore I shall not trouble your Lordship with the particulars

I am &c.

Lord Visc^t Barrington

P.S. Before I put this into a Cover, a Ship came in from England in a Passage of 19 Days from the Lands End. I

am told that she brings advice that L Hilsborough is appointed Sec^y of State for America. If this should be so, I think that knowing your Lordship's Connexion with that noble Lord, I have Reason to congratulate myself upon the Even't.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Mar. 4 1768

MY LORD

In my Letter of Jan 28 I informed your Lordship to what Lengths the Americans had carried their Improvements of the Arguments which had been used in England in favour of their being exempt from a parliamentary Taxation. I there mention that the Pretensions were not expressly carried to the Length that they were Consequentially. But, my Lord, the little Interval of Time between the Dates of that Letter and this has afforded Instances of these Pretensions being actually carried to the full Length they are capable of. The Traders here are now associating² in the same Manner that they did at the Time of the Stamp Act; with what Success remains to be determined: however there is now a Subscription opened to import no British Goods (except for the Fishery) for 18 Months. If this was all, we Crown Officers should be³ well Content: but it is given out among them that they will not submit to the Laws in the Mean Time; & violent Methods of Opposition are every Day expected. One Man has unloaded a Cargo without entring it at the Custom House: it was done in the Night with a strong hand; but it is as publicly known as if it had been at Noon Day. The Officers

¹ "Bernard Papers," vol vi (Letter Book), p. 96.

² Followed by "here," then crossed off.

³ Followed by "very," then crossed out.

either do not or dare not know where the Goods are carried. Many Merchants say they will not suffer Custom House Officers to go on board their Ships; one of them declared so in the House of Representatives. When they are asked what will satisfy them, the Answer is a total Repeal of the Laws of Trade imposing Duties and nothing less. And untill such Repeal shall be made they propose to suspend the Execution of the Laws, as they did in the Stamp-Act, which is now made a Precedent. However there has not as yet been a violent Opposition to the Officers; but it is hourly expected.

Your Lordship may imagine that such a State of this Town must be very disagreeable to the Commissioners of the Customs who are strangers in this Country. There have been Nights fixed by Common Report for a Tumult twice within these 10 Days. Upon one of them M^r Burch one of these Gentlemen had a large Number of Men with Clubs assembled before his Door great Part of the Evening, and he was obliged to send away his Wife & Children by a back Door. This was afterwards turned to a Joke & said to be nothing but to intimidate them; but if it was only a Joke it was a very cruel one. The Commissioners have asked me what Support I can give them, if there should be an Insurrection; I answer none at all. They then desire me to apply to the general for Troops; I tell them I cannot do it; for I am directed to Consult the Council about requiring Troops; & they will never advise it let the Case be ever so desperate. Indeed I no more dare apply for Troops than the Council dare advise me to it. Ever since I have perceived that the Wickedness of some and the folly of others will in the End bring Troops here, I have conducted myself so as to be able to say, and swear to, if the Sons of Liberty shall require it, that I have never applied for Troops. And therefore, my Lord,

I beg that Nothing I now write may be considered as such an Application. The present Suspence is a very disagreeable one: the Commissioners see that they must wait till a violent Opposition is made to their Officers; & yet they dread the Experiment. I must be involved with them more or less: I have promised them an Asylum at the Castle, & possibly may want it myself. Tho' the more moderate of the Opponents to the Laws of Trade say that they will hurt No body; but when they find that they are not like to be redressed, they will put the Commissioners & all their Officers on board a Ship & send them back to England. This is the Talk used to prevent Riots: a Short Time will determine it. I shall drop the Subject here having said enough to shew how probable it is that the Officers of the Crown will soon be in the same situation which they were above 2 Years ago; and how deceitful that Opinion is like to prove, that America will come to Rights of its own Accord. The Impeachment of the Power of Parliament has been continually extending since the Time of the Stamp-Act; & will not stop till the Parliament interposes with Effect.

Having said so much for the public there is little remaining for myself. Your Lordship may imagine that whilst the Faction are attacking the Authority of Parliament they won't let the Governor alone. They accordingly picked a Quarrel with me about the Middle of the Session: But they have chose an unfortunate Subject and managed it very ill. I found myself obliged to make it the Subject of a Speech at the End of the Session; as the Faction have shown their Intention, to hurt me with the People by the Publication of the Papers of their House followed with an Infamous Libell. But they are both fully answered by my Speech and an Address of the Council; both of which joined together

on this Occasion will I hope open the Eyes of the People to the Wickedness of these Fellows.

The Right honble

I am &c

The L^d Visc^t Barrington

PS

If your Lordship should think proper to communicate any Part of this Letter, you will spare my Name as much as possible.

LORD BARRINGTON TO GOVERNOR BERNARD ¹

CAVENDISH SQUARE April 16. 1768

DEAR SIR,

I was yesterday favour'd by several Letters from you, and as the Packett sets out this Evening I have not time to answer any of them as I wish: I have indeed scarce been able to read them; for the same conveyance brought me some material publick Dispatches which require answers, and I have only a few hours to write them. I cannot however suffer this days Post to go, without carrying my acknowledgments of your kind Attention to me, and of the material information you send me.

Three of your Letters dated the 28th 26th of January and the 20th of Feb: are duplicates. One of them contains a very ingenious but in my poor opinion impracticable plan for representing the Colonies in Parliament. I acquainted you with my opinion on that Subject by last Packett. I then knew how such a proposal however right would be received on this side the Water, and the Act of assembly dated feb. 11th shews how much it would be abhor'd on your side, at least in your Government, so we must put that Plan entirely out of the Question.

¹ "Bernard Papers," vol. xi (Correspondence), p. 167.

I see with Grief, but not with surprize, the open attempts towards independency making in New England, & I conclude the other northern Colonies. A man must have been blind who did not foresee that consequence, from the repeal of the Stamp Act. Things are coming apace to a crisis: My friend Lord Hillsborough will have his hands full, but for the sake of the publick I am glad America is in his hands. He has prudence firmness & temper: The times want them all.

I am persuaded you are in the right in your dispute with the Assembly; but that dispute makes it eligible for you (tho' not for this Country) that you should be removed to a better Government; especially as no steps are taking towards granting a fixt salary to the Governors of the Northern Colonies. I will watch every Circumstance that can make for your benefit, and your Letter dated 7th february has inform'd me of your wishes. I am with great truth & Esteem & with my best Comps. to my Cousins

Dear Sir

Your Excellency's

most faithful & obedient

humble Servant

BARRINGTON.

PS.

In my hurry I had forgot to acknowlege your Letter of the 4th March which is of the most serious importance. The contents will not be neglected by me & I will make the proper use of them without *committing* the writer so as to hurt him.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON March 28 1768

MY LORD

I have an Opportunity of adding the 11th & 12th Farmers Letters which compleat the set; I shall send your Lordship another Set in an 8^{vo} Edition by the next Opportunity. All that I fore-told of these Letters becomes verified: the ill Consequences which were to be expected from them are coming on with a Rapidity; and I fear it is too late now for Great Britain to prevent America getting the Start of her. For if the Expectations of the Cabinet of the Politicians here are well founded, they depend upon using weightier Reasons than have been urged as yet against the Parliaments imposing Duties in America. I have wrote a good Deal upon this Subject to the Secretary of State; but dare not repeat all I hear till I have a safer Conveyance for my Letters than offers at present. A little Time will give Maturity and Appearance to the Designs which are now carrying on, if what I hear is to be credited.

I am &c

The Rt honble

L^d Visc^t BarringtonGOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Apr: 20 1768

MY LORD

I take this Opportunity to inform your Lordship that we've lost our fourth Son Shute who died at Cambridge, where he was placed for his Studies, on the 5th inst^t after 4 Days Illness in the 16 Year of his Age. I find that a Number of

¹ "Bernard Papers," vol. vi (Letter Book), p. 105. ² *Ibid.*, p. 106.

Children does not so much reconcile one to the Loss of one, as might be imagin'd. However I ought not to repine, when I have 9 hopeful Children left.

Yesterday I received your Lordship's Letter recommending Mr Chaumier : Immediately after which I had an Opportunity of shewing my Desire of serving him by removing some Difficulties in the Way of his obtaining an Indulgence from the Board of Customs, which I hope has been effectually done.

Both the Mails of² & Febry are still due, tho the latter should have been in by this Time. I have no Advice in an Official Way of the Appointment of Lord Hillsborough : so I am now in an Interval between the closing my Correspondence with L^d Shellburne, & opening one with L^d Hillsborough. The Officers of the Crown & Friends of the British Government are now in a distressed State, hoping that, but not knowing how or when, they shall be relieved.

In a former Letter I proposed that I should have a discretionary Leave to come home. Altho Things are very much alter'd since I wrote that Letter, yet it still becomes very adviseable to the Government, & desirable to me, that I should have leave to come to England. I must run a Risk in it: But the Times are growing so bad, that I am not like to have any Choice in it. The good Inclinations of the Ministry towards me, I am satisfied will have no good Effect untill I can have an Interview with them. As soon as the Mail comes in, I will write more fully to your Lordship upon these Subjects; in the mean Time I could wish that the Purpose of obtaining a discretionary Leave for my coming home might be pursued.

The Right honble
L^d Visc^t Barrington

I am &c

¹ Followed by "Jan ry" and then crossed off.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAV : SQUARE May the 9th 1768

DEAR SIR,

Lord Hillsborough told me the other day that he thought it very right you should receive an immediate mark of the King's favour, and approbation of your services, and ask'd me whether you would have any objection to being created a Baronet. I said that I never had observed any thing in you which made me conceive you were fond of Titles, and that it cost three or four hundred pounds to be a Baronet; but that I would enquire of you, & let him know your Inclinations. I believe there is no Government in America which if vacant you might not have, with the greatest ease; but at present there is nothing to be disposed of but the Lieut. Government of Virginia. This I am authorised to offer you, with or without the Title of Baronet. Lord Hillsborough conceives it to be the same as a Government in point of Rank as the Governor never resides, and that in point of value it is better than what you have: In ease & comfort it is infinitely preferable. I do not find there is any prospect of paying the Governors of America out of the funds created last year, and which were then created only to give the late Chancellor of the Exchequer a little momentary eclat. I ask'd Lord H. who he would propose to be Your Successor: He said it would be a great distress to this Country, whenever you left the Massachusetts, but that his Views went of M^r Hutchinson the present Lieut Governor; and this in the strictest confidence I was allow'd to tell you. In short my dear Sir, You have now the whole before you for consideration, and no man can determine better. My Lord H. has promised me to write you

¹ "Bernard Papers," vol. xi (Correspondence), p. 183.

such a private Letter as will authorise you to come hither on leave if you should chuse it. I am with my best Compliments to all my Cousins

Your Excellency's
most faithful &
most obedient Servant
BARRINGTON.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE June 11th 1768

DEAR SIR,

I answer'd all your Letters by last Packett, & therefore intended by this to trouble you with nothing but a duplicate of that answer. Yesterday brought me your Letter of the 20th of April, by which I hear with great concern of the misfortune which has happened in your family by the death of my Cousin Shute Bernard. I most sincerely condole with your Excellency & with M^{rs} Bernard on this occasion; earnestly hoping you will have no more afflictions of the same kind or indeed of any other.

I am much obliged to you for the Printed Papers which you have sent to me, and which shew too clearly the ill humour on your side of the Water: I can send you nothing pleasing from this side and therefore I will not give you or my self concern by writing news I am ever with the greatest truth

Dear Sir

Your most faithful
& obedient Servant
BARRINGTON.

Lord Hillsborough has
obtain'd the discretionary
leave you desire & I beleive
sent it to you by last packet.

¹ "Bernard Papers," vol. xi (Correspondence), p. 197.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON May 9 1768

MY LORD

The Febry Mail is not yet come in: so that at this Time, 4 Months after his Appointment, I have received no Letter from Lord Hillsborough. As upon this Account I must still defer writing to him, I am now aware that I shall not have Time to apply to him for Leave to go to England; so as to expect an Answer in Time to set out soon enough to keep clear of the Winter: and a Winter Voyage in these Seas is to be avoided by all Means possible.

I must therefore beg of your Lordship that I may be favoured with your Lordships Application (with as little Loss of Time as may be) that I may have an Order or Leave to come to England before Winter. An order it will be if the Minister sees the Expediency of calling me to make a Report in Person of the present State of New England; in which Way I am convinced I can be more serviceable to his Majesty than I can by continuing here without real Authority. It seems to me that the Omission of the most proper Means to quiet America, if there has been any such, must be imputed to the Administration having wanted proper Informations of the State of the Country; which for many Reasons cannot be communicated by Letters.

Considering this as a License granted to me, It will still partake of the Nature of a publick Business. For if my Service has received the Approbation with which I have been flattered, I hope it will create a Merit, which will exempt me from being again exposed to the same Dangers, which I so firmly withstood & so happily escaped. In the Winter

¹ "Bernard Papers," vol. vi (Letter Book), p. 110.

65-6, I was sev'ral Times drove to the very Brink of Deserting my Post; & in the Spring following the Lieut: Gov^r told me that nothing surprised him more than to see me in this Town at that Time. And if we are to beleive the Heads of the Faction here, if Concessions from Great Britain are not soon made, the next Winter will be as dangerous to Crown Officers as any which have passed.

I have not at present any Dispute of my own or of any Kind but what arises from the Opposition to Great Britain. At present the Faction is cheifly employed in insulting affronting & threatning the Commissioners of the Customs & their Officers. The Instances are gross & notorious: I shall not at present mention Particulars, as I suppose the Commissioners themselves will fully report them to their Superiors. It is sufficient that these Proceedings necessarily involve me in continued Disputes, as I cannot dispense with paying due Respect to Gentlemen bearing Commission under the great Seal & station'd in my Government. And yet this is in a Manner required of me, as the Terms of being spared¹ myself. It therefore seems unavoidable that when they rise against the Commissioners (which they publickly declare they will do, as soon as they learn that their applications to the Government at home are successless) the Governor must be involved in the Dispute & partake of the Difficulty & Danger.

For these Reasons as well as others, I much desire that I may have leave to come to England next winter. I am sensible that I run a risk of hurting my Family Stock, & much so, if I cannot obtain an appointment under the late Act with an early Commencement. But my Family will run a much greater risk from my being left exposed to another insurrection, which will undoubtedly be attended with much more mischeif than the

¹ First written "loved."

former, as it will be accompanied with a desperate Defiance of Great Britain. This Event seems unavoidable if Measures are not already taken to prevent it. — If an Order should be obtained, I beg it may be forwarded with all Expedition, & a duplicate & triplicate by other Ships.

The Right Hon The L^d Vis^t Barrington, I am &c.

PS. May. 12.

Yesterday I recieved my Lord Hillsboroughs first Packet; & as the Ship which is to carry this is to sail to morrow I shall have no time to write Lord Hillsborough except to acknowledge the Reciept of his Letters. I shall probably be able to write upon my subject in about a weeks time: but as the Time of that will be uncertain I shall stand in need of You Lordships interposition in the same manner as if this Packet had not arrived. And it is the more to be desired as it will be proper to prepare his Lordship for an Address diectly from myself; which latter I shall most probably inclose to your Lordship, that you may judge of the propriety of it before it be presented. I should have mentiond before that I have recieved your Lordships Letter of Jan. 8 & am obliged to you for your kind information.

secret

As I have a Confidence in the Conveyance of the inclosed, I will venture to add a few Lines, which I should not chuse to trust to the common Post: I am well assured that it is the intention of the Faction here to cause an Insurrection against the Crown Officers, at least of the Custom house, as soon as any Kind of Refusal of their extravagant Demands against Great Britain shall furnish a Pretense for so extraordinary

a Step; & that they depend upon being join'd & supported in this by some of the other Colonies. I am advised of this by one of their Party whose name I can never use, as he is not suspected of communing with me. I asked him if they were likely to confine themselves to the Custom House officers, or would extend their operations to the other Crown officers & especially the Governor. His answer was, "if I was Governor Bernard I would get out of the way whenever any Commotion began, especially if it arose from the Expectation or the arrival of regular Troops." The same Person told me they were waiting for the success of their application to other Colonies to join them in an actual opposition. Since this I have learnt that they greatly exult in Advices they have lately recieved from other Colonies. All this is continually confirmed by frequent Declarations that they will do themselves Justice; that they will remove the Commissioners & their officers; that no Pensioner of Great Britain, no, not one that recieves a Stipend from ¹ thence shall live in this Province; & it has been publickly declared upon Change that if the Commissioners were not recalled before the beginning of the Winter, they will be shipped of for England. The Situation of these Gentlemen (& indeed of all the Crown Officers) is become very gloomy; especially as they cant learn from England or New York that any Relief is intended to be sent to protect them from this desperate Gang. I should have observed before, that it cannot be concieved that they would treat the Parliament of Great Britain with the Insolence & Contempt which their News Paper is frequently fill'd with, if they did not mean to set her at Defiance, & dare her to express a resentment. This is the present State of this unhappy distracted Town.

¹ Followed by "Great Britain," then crossed off.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON June 18 1768

MY LORD

I have just received your Lordships Letter dated April 16th as I did that of Mar 10 in due Time, which I waited to acknowledge 'till this Mail come in.

Your Lordship observes that Things are coming apace to a Crisis: I am sure they are with us; and I fear the Bostonians will get the Start of you. The Commissioners of the Customs and their Officers & the Officers of the Custom House are driven out of the Town allready, the latter not without wounds & bruises & a narrow escape with life. The Commissioners & their officers are on board the the Romney Man of War: they are going to the Castle to wait the Event of this, as soon as it shall be made defensible by the station of Men of War about it. There are allready the Romney of 50 guns & the Beaver of 16: others are expected.

I am myself on better terms with the people, than usual. A Civil Treatment of a petition of the Town to me, a plain & friendly Answer thereto & some real Service by interposing with the Man of War, have given me a little popularity. But it wont last a week: as soon as I have executed the orders I have just recieved from the Secretary of State, in the general Assembly, there will be an end of my popularity. And I dont know whether I shant be obliged to act like the Capt of a fireship, provide for my retreat before I light the fusee.

I shall send this by M^r Hallowell Controller of the Customs of this Port, who is sent home by the Commissioners upon this occasion. He will inform Your Lordship of all the particulars of the present transactions, as he has bore a great

¹ "Bernard Papers," vol. vi (Letter Book), p. 123.

part in them. There seems at present a determination to resist Great Britain, & preparations, I am am told are made for it. We must wait for the Event.

I am &c.

The Right Honble

The Lord Viscount Barrington.

GOVERNOR BERNARD TO LORD BARRINGTON¹

MY LORD

BOSTON. June 29. 1768.

I wrote to your Lordship a short Letter dated June 18, which went in the Care of M^r Hallowell. Since that I have informed the Assembly of the orders I have recieved to require them to rescind & disapprove some resolutions of the late House in the last Session, & on their refusal to dissolve them. It is certain they wont comply; in the mean time they are putting off giving their answers, & perhaps meditating some other Act as bad as that which they are required to rescind. I am not at present an object of resentment, altho I have been abused in a speech of Otis's in common with the Government the Ministry, the parliament & the People of G Britain, & all persons in Authority on both sides the Water. But I apprehend that I shall be drove to execute my orders in a manner that may make me personally offensive. Besides, one doesnt know what effects the Dissolution of the Assembly may have among the People, nor what turn it may take.

I there fore a good deal depend upon my obtaining Leave of absence. I have not wrote to my Lord Hillsborough on this Subject: ever since my Correspondence has been opend with him I have had so many interesting Subjects to write

¹ "Bernard Papers," vol. vi (Letter Book), p. 125.

upon, that I have not found room for myself. Besides, the Year has advanced so fast, that there is not Time left for me to recieve an Answer to a Letter wrote now, early enough to embark before the Winters sets in; tho I should venture much if I should meet with a good Ship, especially a Man of War. I must therefore rely upon what I have allready wrote & your Lordships kind offices therein.

It seems to me that my going to England is quite necessary for the improvement of the good disposition of the Minister towards me. Without an interview, there will be no End of doubts & difficulties, especially as my Ideas of an advantageous settlement lay a great stress upon health & the means to preserve it, a good Climate. I also want ease & rest, having been greatly too much overworked for 3 Years past, & I begin to feel it. I had therefore rather return to my old Government of New Jersey with a Salary of 1500£ a Year (no more than is allowed to the Government of Nova Scotia) than go to a Southern or West indian Government (Barbadoes excepted) of twice or thrice the Value. And I should think this might be effected by advancing Gov^r Franklin & allowing an additional Salary to that Government. As for my staying in this Government with an additional Salary, It would depend upon the treatment the People are to meet with here. If I was upon the spot where I could know what is to be done with this Government, I could quickly tell how ¹ advisable it would be for me to continue in it; & if I should be asked my opinion what should be done I might propose measures which would make my return to it by no means advisable. For tho' I conform to the Constitution of the Government, as it is at present my Duty, yet I cant be blind to its defects & the ill consequences which proceed from thence;

¹ Followed by "to," then crossed off.

& if I am called upon I must speak out. Upon the whole my having leave to go to England seems to be the first step to be taken.

June 30.

I have this day recieved the ¹ answer of the House, wherein they refuse to comply with the terms of the Kings requisition in a manner which will give great offence at home. I am also abused by them, altho' I have been meerly ministerial in this business. I have therefore prorogued them to day & shall dissolve them to morrow by proclamation. I expect great resentment from England against this Town & province, & that much confusion will arise here & perhaps there may be an actual insurrection. Upon these accounts Leave for me to go to England becomes more & more desirable. I write fully to my Lord Hillsborough, & upon that Account must shorten this as I must make up my packet for a Ship which is to sail to morrow.

I am with great &c

The Right Hon ble

The Lord Viscount Barrington

LORD BARRINGTON TO GOVERNOR BERNARD²

CAVENDISH SQUARE Aug^t 11th 1768.

DEAR SIR,

In my last Letter to you I made you an offer from Lord Hillsborough of the Lieu^t Government of Virginia if it were agreeable to you: but an Event has since happen'd which put an end to this Plan. The Representations of that Colony to the King and Parliament shew such an alarming disposition there, that it was thought necessary a *Governor* and a

¹ First written "an," then changed to "the."

² "Bernard Papers," vol. xi (Correspondence), p. 277.

man of great distinction should reside there. Sir Jeffery Amherst declining to go to America in that capacity, Lord Botetourt has been appointed in his room, a man every way fit for the business he has undertaken. I hope this will not prove a disappointment to you, and that some other advantageous establishment will be found out for you in case Boston continues a disagreeable Government, of which there is but too much appearance.

It is now evident to all the world that the Civil Magistrate in the Massachusets should be assisted by troops, in maintaining Peace & supporting Law. The Regiments in North America being thro' a most fatal Policy dispersed so, as that no considerable number can be assembled, two Regiments are going from Ireland to that part of the world; but of this I need say no more, as your publick dispatches will fully apprise you of it.

I understand from Lord Hillsborough that in your dispatches you mention leaving your Government on account of health or something of that sort, but in the present juncture I am persuaded you will not stir from thence on any Account tho' you have leave of absence. I know & lament the uneasiness of your situation and hope in God it will not long continue. I am with my best Comp! to all my Cousins
Dear Sir

Your Excellency's
most faithful & obed^e Servant
BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON July 11 1768

MY LORD

I wrote to your Lordship the 29th inst^t a Letter which went to New York for the Packet; and a duplicate went the next Monday for Glasgow. I now take an Opportunity of sending to your Lordship Copies of the Papers relating to the Dissolution of the Assembly as they are printed in the Newspapers. This Business went off easier than I expected, partly from its being previously known and partly by my dismissing the Assembly by Prorogation & dissolving them afterwards by Proclamation.

But the Crisis is still to come: Death has been denounced against those who are concerned in bringing Troops here: and yet I beleive one Regiment at least is now ordered from Halifax. I have kept clear of being concerned in it by the Indulgence of Gen^l Gage who knows my Situation; but it will not follow that I shall not be charged with it. However I must take Care of myself as well as I can; and if I can't stand my Ground I must go to the Castle, which is now become a Place of Security, tho' in a Manner without a Garrison, having a 50 Gun Ship two 16 Gun Sloops & two armed Cutters stationed about it. Few Weeks will determine this Affair.

I am &c

The Right honble

The Lord Viscount Barrington

¹ "Bernard Papers," vol. vi (Letter Book), p. 132.

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE 6th Septem^r 1768.

DEAR SIR

As this Packet will carry you a Duplicate of the Letter which I wrote to You by the last; I have little now to add, except an acknowledgement of your Letter dated the 11th of July: And an Account of Sir Jeffery Amherst's resignation of the Regiments he commanded. This event has given great concern to the King, & to every body who serves him; for Sir Jeffery is universally respected & valued. - - - You may be assured there was the strongest intention to shew him every mark of regard; And I really think that if Sir Jeffery's own mind could have approved the offer made him, & which it was thought he had accepted, of a Pension for life out of the American 4½ per Cents, equal to what the Government of Virginia brought him in, no man living, of the least degree of common Sense, would have blamed Sir Jeffery, or thought him ill used: Be that as it may, I very much lament what has happened.

God grant that we may have speedy Accounts of Boston's being quiet: but I shall not expect that tranquillity there will be of long continuance, unless some legal example be made of persons concern'd in the late violences committed there. I am with great truth & regard

Dear Sir

Your most faithful

humble Servant,

BARRINGTON

His Excellency

Governor Bernard

&c &c.

¹ "Bernard Papers," vol. xi (Correspondence), p. 293.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON, July 20, 1768

MY LORD —

We continue in the same uncertain Situation now as when I wrote last: the Crisis waits for the arrival of Troops; & I now learn that there are none coming. Gen^l Gage has now informed me that his orders to Halifax are that² the Troops shall be collected & kept in readiness, but are not to move till I require them. I answer that then they will never move: for I shall not make such a requisition without the Advice of Council; & I never expect to obtain that; neither their popular Constitution nor the present intimidation will permit it. He says that Troops never are sent to quell Riots & Tumults but at the desire of the Civil Power. I admit it; & say that I sh^d never think of sending to New York or Halifax for Troops to quell a Riot at Boston: the Business must be over before they can arrive; & no Troops can be of any Service in quelling a Riot or a Tumult, that are not previously quartered near the Place.

In Short, my Lord, Troops are not wanted here to quell a Riot or a Tumult, but to rescue the Government out of the hands of a trained mob, & to restore the Activity of the Civil Power, which is now entirely obstructed. And if an open Defiance of the Authority of Great Britain; a persecution of all those who are supposed to be maintainers of that Authority; The Expulsion of the King's Commissioners appointed under the great Seal in pursuance of an Act of Parliament out of the Town where they have been Stationed by the King's Authority; & obliging them to take refuge in a

¹ "Bernard Papers," vol. vi (Letter Book), p. 136.

² At this point in the original there is what appears to be a period.

Castle & there remain under the Protection of Men of War for want of better Security; If all these are not sufficient to show the Expediency of quartering Troops at Boston, we must wait till it becomes more apparent.

In truth, The sending Troops to Boston sh^d be a Business of quartering, of Cantonment: it is now no secret that this ought to have been done two years & a half ago. If it had, there would have been no opposition to Parliament now, & above all no such Combination as threatnens (but I hope vainly) the Overthrow of the British Empire. If Provision was to have been made against Faction & Sedition, the head quarters should have been secured. Instead of which Regiments have been sent into Quarters at Philadelphia & new Jersey where the People are principled in peace & Submission to civil Order; & Boston has been left under the uninterrupted Dominion of a Faction supported by a trained mob from Augst 14, 1765 to this present July 23, 1768

And now all the Burthen is to be laid upon me and, as if I was not at present sufficiently loaded with Dangers & Difficulties, I alone am to be made answerable to the Fury of the People for introducing Troops here illegally & unconstitutionally; for so they will call the requiring them without the Advice of Council. Otherwise I am to be made answerable to the King for all the ill Consequences which shall follow the Want of Troops here. I must say that this bringing me between two Fires is very hard; and I would add very cruel, if I was not convinced that it did not arise from any Intention to hurt me: for I am well assured that Gen Gage has none but friendly Intentions towards me; tho' possibly he may act in this Business with too much Caution, or probably may be confined in his general Orders.

To discharge myself as well as I can of being answerable

for Consequences I have ordered a general Council to meet on Wednesday next when I shall lay before them the Substance of Gen^l Gages Letters, and require them to give me their Advice whether I shall or shall not send for the Troops which the Gen^l has ordered to be ready at Halifax: And according to their Advice I will act. I should not have chosen to have made this Communication; for I expect little Assistance from a Council popular & timid; And I have but lately tried them upon this very Question: but ¹ I am drove into this Measure. As soon as the Determination is over, I shall acquaint Lord Hillsborough with it: In the mean Time I have thought it proper to state this Business to your Lordship, that if it should be brought upon the Carpet to my Disadvantage your Lordship may be informed of the true State of the Case.

I am &c

The Right honble

The L^d Visc^t Barrington

GOVERNOR BERNARD TO LORD BARRINGTON²

BOSTON July 30 1768

MY LORD

According to the Notice I gave you in my Letter of July 20 I have laid the Proposal of Gen^l Gage before a very full Council, & upon putting the Question whether I should or should not require Troops of Gen^l Gage, it past in the Negative unanimously, as indeed I expected it would. But tho' I was prepared for this Answer, I was not for the high Strain of the present Popularity with which this Question was treated; from whence I am, convinced that I am no longer to depend upon the Council for the Support of the small Remains of royal & parliamentary Power now left; the whole of which has been gradually impeached arraigned & condemned under my Eye.

¹ First written "for."

² "Bernard Papers," vol. vi (Letter Book), p. 139.

It is now 3 Years since the popular Power, which now prevails first raised its head: I have constantly give Notice of every Step it has made, & have given my Opinion that there was no internal Power in this Government which could prevent its gaining all real Power. I have myself done every thing I could to stop its Progress & by my Negating Power kept it from prevailing in the Council. But it is all over now: the indifference which has been shown in England to the checking the Demagogues of America for so long a Time has at length so effectually discouraged the Friends of Government, that they have been gradually falling off, 'till at length the Cause is become desperate. The Vote in the House against rescinding, which was carried by so large a Majority gave the precise Turn to the Council; and now I see that popular Leaders & popular Measures will wholly prevail in that Body in which I have hitherto boasted that I have kept the Enemy from prevailing.

I have wrote to my Lord Hillsborough giving him a particular Account of ¹ all the Proceedings about requiring Troops hither, with Copies of all Papers relative thereto. But I desire by no Means to be understood to blame Gen^l Gage, whom I consider to be very friendly to me. I make no Doubt but he can as well vindicate himself for not sending Troops here without my Requisition as I can for not requiring them without the Advice of Council. All I desire is that we may both appear to have acted right. As the Settling these Provincial Disputes will take up Time, and I am become very heterogeneous to the present prevailing System, I should be glad to retire a little, till it can be determined how I can be disposed of: for surely I have for 3 Years served in a very hard Warfare.

I am &c

The L^d Visc^t Barrington

¹ First written "about."

LORD BARRINGTON TO GOVERNOR BERNARD ¹BECKETT October the 3^d 1768

DEAR SIR;

Since my last I am to acknowlege your Letters of the 20 & 30th of July. I agree entirely with your reasonings about sending Troops to Boston: The late Violences made it proper to send them, orders went accordingly to General Gage, but he had not received those orders when you wrote the above mention'd Letters to me. He was right in not sending any Troops without either orders or requisition. I find near three Regiments are assembled at Halifax, & two saild from Ireland the 10th of last month. I hope this will furnish a sufficient Strength for you; but when they come, how will you quarter them, or where will you find a Civil Magistrate to use them? If the Act for quartering Troops in N. America had been alter'd as I proposed, the first difficulty would not have existed: I hope you will be able to remove the Second difficulty.

I long to hear that things are quiet, I mean *permanently* quiet in your part of the world, & I wish it may be without any bloodshed. Believe me ever

Dear Sir

Your Excellency's
most faithful &

Cannot a Governor make most obedient Servant
what Justices he pleases, & BARRINGTON.
is he not himself a civil Magistrate?

The Commissioners of the Customs at Boston
may also be Justices of the Peace and act as such, both for
quartering & directing the Troops: At least I conceive they
may.

¹ "Bernard Papers," vol. xi (Correspondence), p. 319.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Aug 27 1768

MY LORD

I am honoured with your Lordship's Letter of May 9th which arrived at Boston the 20th of Aug. that is 14 Weeks after it left London. I mention this that there may be no Imputation of Negligence in me in not acknowledging the Favour by the earliest Opportunity.

I am truly sensible of the high Honour I receive from my Lord Hillsboroughs Estimation of me and your Lordship's Attention to improve it in the best Manner for my Advantage. The unexpected Offer of a Title strikes me too forcibly not to occasion some Deliberation. If indeed it was to be determined by myself upon selfish Considerations, I should have no Doubt of declining it. But in a Business of so great Concern to my Family others are to be consulted besides myself. M^{rs} Bernard is at present at a mineral Spring 90 Miles from hence to which she has been sent by her Physicians. I have also an intimate Friend & Relation in England who has my Intrests so much at her Heart, that I can't excuse myself advising with her. So, my Lord, you must not be surprised, if by making Use of a female Council I should be led into an Act of Vanity. But at present I think the Objections I have to accepting the Honour are unsurmountable. If I consult my political Friends about accepting this Honour, I know they will labour for the affirmative with great Earnestness upon political Considerations. It will be urged that the conferring this Honour on me will afford a true and proper Triumph over those Enemies which my Adherence to the Rights of Great Britain has created;

¹ "Bernard Papers," vol. vi (Letter Book), p. 141.

that it will hold out a Light to other Governors and Crown Officers and teach them that their true Intrest leads to adhering to their Duty and not temporising at the Expence of the Rights of the Crown; and that it will tend to cast a Disgrace upon the Faction which has of late prevailed here, and to lower its Estimate with the People of the Country. I own, my Lord, that these Arguments will have some Weight with me, who am used to consider every Event, with its Relation to the Service of the Crown. You see, my Lord that it is impossible for me to come to a Resolution at present, and therefore I can only desire your Lordship to present my most respectful and grateful Compl^{ts} to my L^d Hillsborough and to beg his Indulgence of further Time for to consider of the Propriety of my accepting the great Honour he intends for me.

In Regard to the Government of Virginia I have much less Difficulty or indeed none at all. It is certainly much more valuable than this, even tho' the contingent Profits, which this has been deprived of for 3 Years past & more, should be restored. I speak this upon a Presumption that the Lieutenancy will be held upon the same Terms with the principal as it was by M^r Fauquier; which I understand was by paying 1500 pounds sterl^g in England clear of all Charges. As for the Title of Lieut Gov^r it matters not whether the Governor is called his Honor or his Excell^{cy}; tho if it signified any Thing the latter Title might be given to the Lieut Gov^r by a special Commission that should not be derogatory to the Commission in cheif: and I have often wondered it was not done; as this is in Effect a principal Government. The Gov^r of Maryland has long ago taken the Title of his Excell^{cy}, by what Authority I dont know, unless it is by a Commission from his Majesty: for surely a Proprietor can confer no

such Title. As for the Climate which your Lordship knows is a principal Consideration with me, chiefly upon Account of M^{rs} Bernard, I have learned enough to satisfy me that tho it is too southerly, it is not unhealthy and will probably suit with her. I must therefore desire your Lordship to signify my most grateful Acceptance of this Offer for the present; by which I mean a Reserve of Liberty to apply for something else, if I should be disappointed in the Climate or Income of this Government. If I am not, I may probably set down with Pleasure for the rest of my Life: for it is high Time that my Peregrination should be determined:

It will be extremely agreeable to me to be succeeded here by the L^t Gov^r, as indeed it will upon many Accounts promote his Majesty's Service. Such an Appointment will effectually discourage the Faction, who are more inveterate against him than against me; and are most offended at me for taking his Part; And it will afford another great Instance of rewarding faithful Servants of the Crown. I shall treat this with all the Confidentiality your Lordship recommends, and shall not acquaint him with the Assurance I have of this Intention. But I must tell him that I hope and expect that he will succeed me; as it will be necessary to enter into Concert with him about many Matters previous to this Change, and to take his Opinion concerning several Regulations which I have had in my Thoughts to propose.

I shall avail myself of Leave to return with all due Expedition; Many Things both public & private concur in making it expedient. I have not yet received my L^d Hillsborough's Letter for that Purpose; the June Packet is not come in, tho it is now 11 Weeks since it left London: It is become a most dilatory Conveyance. I now communicate to your Lordship my Sentiments as they arise: when I have the

Honour to wait upon your Lordship I shall determine upon every Point. The Question of the Government may receive a considerable alteration if Gen^l Amherst should require new Terms from the new Lieut^t, which might impair the Beneficiality. But I dont expect it as it would probably open a Door for Disputes which had better be avoided.

I am &c —

The Right honble
The Lord Visc^t Barrington

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE Nov^r the 1^t 1768.

DEAR SIR,

I am to acknowlege your Letter of the 27th of August, the last received, and the only one unanswered.

I have before acquainted you of the necessity of sending a *Governor* to Virginia which has put an End to the Idea of your succeeding M^r Fauquier. The unexpected and extraordinary behaviour of the Council and assembly of that Province, made it thought necessary to send a man of Quality thither in a more eminent station than has been usual for many years past. The News Papers &c have assigned other reasons for Lord Botetourt's appointment; but without the least ground. He never had an Idea of going to America till it was proposed to him. I hope some other good thing will soon open for you, and the *Title* is ready whenever you are on the whole inclined to accept it.

You mention in the Letter I am now answering, an intention of making use of the discretional leave sent You by Lord Hillsborough, tho' not then received: When this leave was

¹ "Bernard Papers," vol. xii (Correspondence), p. 5.

granted, the Province under your Government was tolerably quiet; but the Riots which have since happen'd, the ¹ Rebellion in September last, and the expected arrival of the Troops who will stand in great need of your Excellency at their arrival and in their proceedings, will undoubtedly keep you at Boston till better times. I most sincerely feel for your difficulties and distresses there; but it is such a situation that shews Virtues & talents in their true light. I am with my best Comp^s to all my Cousins

Dear Sir

Your Excellency's

most faithful &

most obedient Servant

BARRINGTON.

LORD BARRINGTON TO GOVERNOR BERNARD ²

CAVENDISH SQUARE Nov^r 9th 1768

DEAR SIR,

The Packett having been delay'd I have an opportunity of congratulating you on the happy & quiet landing of the troops at Boston, and the universal approbation your steady and able conduct has obtaind. I need add nothing to my letter of last week which will go by this conveyance but a repetition of my being with great truth & Esteem

Dear Sir

Sir Jeff. Amherst has
return'd to the Army to
my great satisfaction.

Your most faithful
& most obedient Servant

BARRINGTON.

¹ First written "particularly the."

² "Bernard Papers," vol. xii (Correspondence), p. 9.

GOVERNOR BERNARD TO LORD BARRINGTON.

BOSTON Oct^r 20 1768

MY LORD

I deferred writing to your Lordship on the Subject of Lord Botetourt's Promotion untill I could receive from your Lordship as I expected I should, an Explanation of it. This did not come to my Hand untill 4 Days ago when I received your Letter of Aug 13 by that tedious Conveyance the Packet. I should not deal sincerely with your Lordship if I was to say that it has not proved a Disappointment to me. But I am quite sincere, when I assure your Lordship that it will have no Influence upon my Conduct, & that it will never appear from my Actions that I have received any Disappointment at all. And indeed it will soon wear off by my reflecting that it has arose from my Lord Hillsboroughs favorable Intention towards me, which has itself received no Abatement, tho' it has been prevented being carried into Execution in the Manner proposed by unforeseen Circumstances. And therefore I should be inexcusable, if I did not dispose myself to wait chearfully for a more suitable Opportunity of it's exerting itself towards me.

The Expectation of this becoming an agreeable Government, tho at best it would be very unpromising, seems to be entirely cut off by the Disposition which appears in the present Administration not to carry into Execution M^r Townshend's Act for settling adequate civil Lists for each Government. For if I should reconcile myself to the People which considering the fresh Tasks I have now sat me, is not as yet to be expected, I don't see how I am to be releived in Regard to the Deficiency of my Income, concerning which I sent a Petition

¹ "Bernard Papers," vol. vi (Letter Book), p. 156.

to the King about 2 Years ago, which by the Act that passed the Session after, I flattered myself had been favorably received. For my own Part I cannot now live upon the Income of my Government, which by Means arising from the Troubles of the Times & the ill Temper of the People is now reduced to under 1000 Guineas a year, as I proved by authentic Vouchers annexed to my Petition. And I suppose it is not intended that the Income of any Government shall fall short of a full Subsistence to the Governor.

My Idea of M^r Townshend's Plan for settling fixt civil Lists in the Governments is very different from that which now prevails: and it seems that a Departure from it will be very contrary to the Rules of true Policy. But as I have had more than any Governor whatsoever, an Intrest in its being carried into Execution, I have for that Reason only, avoided expressing my Sentiments upon it. But my Lord I am persuaded that the Time is coming, if not allready come, when the very Opposition to that Establishment, will evince the Necessity of carrying it into Execution. It was some Years before the passing of the Stamp Act that I was convinced that establishing certain civil Lists in America was indespensably necessary to the Reformation & Regulation of the Governments. This is become much more so now than it has been heretofore: and if the Perverseness of the Americans in their Treatment of the supreme Legislature should oblige the Ministry in Order to vindicate the Authority of Parliament to carry this Act into its full Execution it would be an happy Effect of a bad Cause. For if it is not executed the Want of it will often be felt. In this Province particularly, the Want of Pay for proper Officers will be found among the cheif Causes of the Imbecillity of Government.

If Punishments & Rewards are the two Hinges of Government, as Politicians say, this Government is off of its Hinges; for it can neither punish nor reward. In short my Lord if this Act should be laid aside either by Repeal or Non-Execution, we shall have Reason to be sorry that it ever passed. For the Disappointment of it will cast such a Damp upon the few People which remain faithful to the King, that he will soon be without Servants. The Laws of Trade will be executed, because there the Officers are paid. But in all other Departments of civil Policy the Service of the Crown will be defeated: for it cannot be expected that Officers should act in Opposition to the Humours of the People on the Behalf of the Crown, when they are left by the Crown to the People for scanty & precarious Salaries.

We have got two Reg^{ts} from Halifax landed at Boston: those from Ireland are not yet come in. So that the Persons of the Crown Officers are safe as I beleive; tho' that is still doubted. But Security alone will not restore the Authority of Government; especially as the Council has now gone over to the People, thinking, as I suppose, the Cause of the Crown to be desperate. And indeed the long Delay of parliamentary Resentment & of military Protection together with the non-execution of the Salary Act has caused a General Despondency. And this will be compleat if it is confirmed, as I have just now heard that the Charter of this Government is still considered as sacred. For most assuredly if the Charter is not so far altered as to put the Appointment of the Council in the King, this Government will never recover itself. When Order is restored it will be at best but a Republic, of which the Governor will be no more than President. I have sent My Lord H Matter enough to support this Assertion; I have still more of the same Kind to follow. I

shall herewith enclose some printed Papets to this Purpose.

As for my Voyage to England, I had fixed upon the Ship & the Day of sailing; when about a fortnight before the Day I received a long Letter from Lord Hillsborough which contained Orders of such a Kind that I could not but consider it as a Suspension of my Leave. This Letter also brought the first Advice of Lord Botetourt's Promotion, I thereupon sat down (with an heavy Heart I must own) to spend another Winter here & how much more I know not, under the gloomy Prospect of encreasing Trouble & decreasing Health & Fortune. In this Temper I wrote to my Lord Hillsborough with as chearful a Countenance as I could. So that by this Time he must be satisfied of my not returning to England.

I have often reflected with Concern upon what your Lordship informed me that there were not 10 Persons in either House that were favorable to an American Representation. I conceive it to be unfortunate for Great Britain that this Expedient meets with no better a Reception. For it seems to me that this Measure is not only the most proper to remove the Causes of the present Dissentions; but that an incorporating Union is the *only* Provision which can prevent a Separation of the Colonies from Great Britain. If it is not done soon, it will be too late; & a Separation will take Place at no great Distance of Time. I shall enclose an Extract of a Letter to me from a Member of Parliament well acquainted with America, observing that his Opinion & mine was not taken one from another; but we were each confirmed in it before we knew the other's Opinion.

I am &c

The Right honble The
Lord Visc^t Barrington

P S Oct 29

I am just now informed from¹ Letters now arrived that the Government of S Carolina is at this Time proposed for me. I have in former Letters particularly excepted to that Government, not upon Account of the Value but the Climate. But as your Lordship may not have this in Memory, I think it proper to repeat my Reasons why I must desire to decline it. I have made myself so well acquainted with the Nature of that Country, that I am persuaded it would deprive me of two of the greatest Comforts of my Life, my Health & my Wife. The former indeed would depend upon a Trial: but the latter would have none; for I could not ask her to go with me. And as after 27 Years Cohabitation, We are still as desirous to continue together as we were the first Day, I cannot consider an Appointment which will separate us as a Reward or an Advancement, tho my own Health was out of the Question.

By my Letter of June 29th last I informed your Lordship how great a Stress I laid upon an healthy Climate in my Idea of a good Government. And I added that I had rather return to my old Government of New Jersey with a Salary of £1500 a year (no more than that of Nova Scotia) than go to any other Government, Barbadoes excepted. Now, my Lord, if the Vacancy of S Carolina could be made the Means of removing Gov^r Franklin, & Means could be found to encrease the Salary of New Jersey to the Sum before mentioned or nearly towards the same, I should be better pleased with it than with a much larger Income in a worse Country. The present Salary allowed to the Gov^r of New Jersey is £720 or £750, I am not certain which. The Assembly might be induced to raise it to 900: & if 600 or 500 could be added from the

¹ First written "by."

American Treasury it would quite compleat my Wishes. I still love the Place & am still beloved by the People. M^{rs} B begs Leave to join in Compl^{ts} to your Lordship. She has greatly recovered her Health by the Use of a mineral Spring in Connecticut & continual riding on Horseback

LORD BARRINGTON TO GOVERNOR BERNARD¹CAVENDISH SQUARE Jan: 2^d. 1769.

DEAR SIR,

I have received your Excellency's Letter of the 22^d Oct.² and the Duplicate. All your Letters convey to me very unfavourable Ideas of your part of the World: There is only one comfortable circumstance, which is that the troops are quietly lodged in Boston. This will for a time preserve the publick Peace, and secure the persons of the few who are well affected to the mother Country. I wish there were a better prospect of such measures at home, as will tend to preserve the Obedience of the Colonies, and such have been proposed; I can moreover assure you that they have been relish'd by the majority of the Cabinet; but by some fatal catastrophe, two or three men there, with less ability, less credit, less authority & less responsibility than the rest, have carry'd their point and produced that flimsey unavailing Address which has past the Lords, has been sent down for concurrence to the Commons, and which will be considered by them after the Holy days. I think there is a bare possibility that it may be amended in that House of Parliament. I think however it is determin'd by all the ministers, not to repeal M^r Townshends Acts till the Colonies have submitted thoroughly to them.

¹ "Bernard Papers," vol. xii (Correspondence), p. 33.

² There is no letter dated Oct. 22, 1768. This should read October 20.

The Picture I have drawn of things here will not encrease your inclination to remain at Boston. I earnestly wish you were removed to some other Government; or provided for at home to which your Services abroad give you the justest claim. I have said & shall say this at all proper times & to all proper persons. I am fully instructed as to your wishes concerning other Governments, except that I am not clear whether you should like Barbadoes if it were to become vacant; and in that respect I beg full & clear information. You may be assured that I shall do you every good office in my power, according to your own Plan. As to S. Carolina it is not vacant, or likely to become so, & I well remember'd your sentiments concerning that province.

I beg you will present my best Compliments to M^{rs} Bernard and to all my Cousins. I wish them & you many happy years and am with the most perfect regard Dear Sir

Your Excellency's
most faithful &
most obedient humble Serv.
BARRINGTON.

LORD BARRINGTON TO GOVERNOR BERNARD ¹

Private

CAVENDISH SQUARE 12th Feb^y 1769.

DEAR SIR,

There were no Packets on this Side the Atlantick the first Wednesday of this Month, which has retarded my writing till I could inform you that the Resolutions which so long ago came down from the House of Peers, were agreed to by the Commons: I mean the Resolutions concerning America;

¹ "Bernard Papers," vol. xii (Correspondence), p. 49.

concluding with an Address, which tho' voted by the two Houses, I believe is not approved by five Men in either : Some thinking it too much & others too little in the present Crisis. I am one of those who think the measure futile & in no respect adequate. I am convinced the Town Meeting at Boston which assembled the States of the Province against the King's Authority, & armed the People to resist his forces, was guilty of high Crimes & Misdemeanors, if not of Treason ; And that M^r Otis the *Moderator* (as he is improperly called) of that Meeting together with the Selectmen of Boston who signed the Letters convoking the Convention, should be impeach'd. This would convey terror to the Wicked & factious Spirits all over the Continent, & would shew that the Subjects of Great Britain must not rebel with impunity anywhere. Five or Six Examples are sufficient ; And it is right they should be made in Boston, the Only place where there has been actual Crime ; for as to the Opinions almost universally held thoroughout America, concerning the Claim of Taxation, I think every man has a right to judge & to speak his Judgement concerning Laws, tho' he has no right to disobey them. It also seems to me that the Council of Boston which has opposed the calling for Troops & the Quartering of them ; which published their answer to the Governour before they had made it, and their proceedings without his knowlege & consent, should no longer be Democratically elected ; but, like all other Councils be appointed by the Crown. Any measures short of these seem to me trifling and dangerous.

We have at last expelled M^r Wilkes : He will be rechosen for Middlesex, and then declared incapable of sitting in this Parliament according to precedent, after which the County must elect some other person. His Cause seems however drooping very fast, and will I am persuaded be soon forgotten.

Tho' he has been twice chosen Alderman of London, his Brethren will not let him sit among them, if they can help it, and I am told they can.

I am with my best Comp^s to all my Cousins Dear Sir

P S

Your Excellency's

March. 1. 1769

most faithful &

There will be a Cabinet

most obedient Servant

on American affairs in a

BARRINGTON.

few days when whatever is or is

not to be done will be fixt. The Packett

can be kept no longer and goes off to day.

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAVENDISH SQUARE 21st March 1769.

Private.

DEAR SIR

I am very sorry to inform your Excellency that there is no hope that any thing more effectual in regard to North America will be done in Parliament this Session: Vigorous and proper measures have been propos'd to the Cabinet, but it is understood they have met with Negatives there. I was directed to bring in the Short Act of last Year for continuing the American Mutiny Act without alteration or addition: I propos'd in the Committee a Clause, of which I send you a Copy: Court & Opposition who have never agreed in any thing else, joined in rejecting my Proposal. The duty I owe to the Crown, the State, the Parliament & the Army, required me to endeavour that the Mutiny Act in America should be executed; the conduct of the Justices and the Council of Boston has shewn it may be evaded. I am as little desirous

¹ "Bernard Papers," vol. xii (Correspondence), p. 65.

as any man, that Troops should be quartered in private houses; nor was that the intention of my Clause, but to engage the Americans to Quarter them according to the Act, by shewing that if they did not, worse inconveniences would happen to themselves than hiring empty houses and furnishing Bedding &c^a. I confess I do not see how the Troops will in several places be put under cover after this tame acquiescence of Parliament in the disobedience of the Town of Boston, in respect to Quartering those which are there: Nothing but the happy expedient of appointing Commissaries, which occurred to You last Autumn could have procured legal Cover for them even at the expence of Great Britain.

M^r Pownal formerly Gouverneur of the Massachussets Bay, and M^r Garth who is Agent for one of the Colonies, (both Members of Parliament) propos'd two Clauses which you will see in the Copy of the New American Mutiny Act, just pass'd, which I herewith enclose: I like them very well, & I think they would have produced good effects, if my Clause had been accepted likewise; but I have no conception, as things now stand, that any Man in America will take one Voluntary Step towards Quartering the Troops at the expence of the Colonies. I trouble your Excellency with these matters the more readily, as the being early apprized of them will enable you the better to give that assistance to the Troops at Boston which the present Circumstances will allow.

I was acquainted two or three days ago with the opinion of Government that the next Pacquet ought not to sail for America without carrying out to You some mark of the King's favour that might shew his approbation of your conduct; and that it was therefore determined to create You a Baronet immediately. I well remember your indifference, to say the least, in respect to Honours of that kind; as likewise the

peculiar delicacy of your Situation which you sometime since communicated to me: but I thought on the whole such a Spontaneous mark of Royal favour bestowed at this juncture should not meet with obstruction from Your friends. I was then asked how you were to be described in the Patent, I had recourse to M^r Blackborne, by whose advice I gave the following description, *Francis Bernard of Nettleham in the County of Lincoln Esquire*: The Patent is passing, and is already so far advanced, that I may safely wish You & Lady Bernard joy. I hope this will soon be followed by somewhat of a more solid Nature. You are entitled to a great deal, and the worthy intelligent part of Mankind will not think your Services overpaid by any rewards you may receive. I have taken care that the whole of this matter shall be fully explained to M^{rs} Berresford by M^r Jackson and M^r Blackborne. I had almost forgot to add that the expence of your Patent will be paid by the Crown; a thing very unusual, and therefore the more honourable. I am told it amounts to upwards of £300. I am with great truth & regard

D^r Sir

Your Excellency's

most faithful &

obedient humble Servant

BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Feb 20 1769

MY LORD

I must appear negligent in not writing to your Lordship of late but I assure you that it is not for Want of Respect or Attention to Business. I am hard worked every way; & in writing I have none but myself & my third Son, who having taken his Degree of A.B. I am obliged to employ as a Copyist, not daring to trust Strangers. An Answer to your last could not have gone before, if it had been immediately wrote after their Receipt.

The Affair of Virginia has long ago been settled in my Mind. As for the Title I see great Difficulties in declining it which did not attend the first Proposal. Many private Letters from London, which have been published in the Newspapers, mention an Intention to make me a Baronet, so that it has generally gained Credit. And my declaring that I had no Expectation of it (I meant immediate) has been interpreted, that I have refused it. This has made my Friends blame me for neglecting to take this Opportunity to advance my Family; & my Enemies for presuming to refuse his Majesty honours if they were really offered to me. Mr Temple has made this a Subject of Part of a Libell he has lately published against me, which, as My Lord H has a little Share in it, I shall send to him by my next Packet. I could bear this; but my Lord H² having kindly offered to take off

¹ "Bernard Papers," vol. vii (Letter Book), p. 258. There is no letter to Lord Barrington between this and the one of Oct. 20, 1768. Governor Bernard, however, wrote an interesting letter to an unknown person during this interval, which will be found in Appendix I, under date of Dec. 23, 1768.

² The following, "Bernard Papers," vol. vii (Letter Book), p. 261, is undoubtedly to the Earl of Hillsborough and is interesting in connection with the above letter and the baronetcy.

from me the Expence of the Patent, which I have since freely owned will be a Benevolence convenient to me, I know not how to refuse his Favours. I have therefore wrote to him that if his Lordship shall think that such an Appointment will promote his Majesty's Service either in this Station or in any other to which I may be appointed, which I must own I think it may, I shall most thankfully accept of this Honor, if his Majesty shall be pleased to confer it upon me. And I have for this Purpose been forming a Scheme which with a little Help, not unreasonable to request, will provide for an Income to attend upon this Honor. I have not the plan ready now, & If I had, I should not send it, as it it would look like making Terms.

I have no Thoughts of going from hence 'till after the next Meeting of the Assembly, which will not be, without special Orders, untill the last Day of May. When the Session is

GOVERNOR BERNARD TO THE EARL OF HILLSBOROUGH(?)

private

BOSTON Jan 26 1769—

MY LORD

I have the highest Sense of the Honor your Lordship has done me by your private Letter of Nov 19th & your kind Assurances of your favorable Disposition towards me. The Regret of the Disappointment of your former Intention, was little more than momentary, & soon gave Way to the Calls of my Duty at that critical Time.

I am extremely obliged to your Lordship for your Offer of freeing me from the Expence of a Baronets Patent, if his Majesty should confer it upon me. This was not a principal Objection with me tho it had some Weight: for since I have been in America now in the 11th Year, I have made very little Advancement in my Estate, & for near 4 Years past I have gone backwards. This your Lordship will easily beleive when I assure you that my Income for some Years past has not exceeded 1,000 Guineas a Year, and I am the first Man in a great Capital.

I have no Appetite of Honors, but as they are public Testimonials of the King's Approbation of the Conduct of his Servants. In this Sense they are allways desirable, & at some Times

for the rest of this Letter see the State letters

[This is the way the letter ends.]

over, if Things are tolerably quiet & I have no particular Commands to execute, I should be glad to go to England so as to arrive there before Winter sets in. But if the Kings Service shall require my staying here I shall chearfully comply. Your Lordship is pleased to signify your Approbation of my Conduct: it is generally allowed that my spirited Message to the Convention contributed greatly to the preventing violent Measures. My Friends here say that it was the boldest Act I have ever yet done; & indeed I knew if their Deliberations has taken another Turn I was to have been seized; & whether my Life would have been spared or not would have been determined by very wicked Men. But it was quite necessary to the Kings Service; & I did not ballance about the Consequences.

My Friend M^r Temple as your Lordship has been pleased to call him some Time ago, has got Business enough upon his Hands now, not to need to quarrel with me. The Disputes between him & the other 4 Commissioners, which began soon after they arrived here & have improved with their knowledge of him have now got to such a head, that it is declared on both Sides that they cannot continue together: that is that the 4 Commissioners who have endeavoured to support their Commission & the Laws by which & for which it was constituted & have acted therein in Concurrence with & with the Advice & Approbation of all the Officers of the Crown, except M^r Temple himself, must either be removed to keep M^r Temple; or the latter associated with the Party in Opposition to the Government & the Power of Parliament, & cooperating with them in endeavouring to prevent the Execution of the Commission & to oblige the Ministry & Parli^{mt} to revoke it, & thereby restore the Inactivity of the Laws of Trade which prevailed before this Appointment,

must be removed, that the Commissioners may go on with the Execution of their Office without Obstruction. This is just as if a Question was put whether M^r Hutchinson or M^r Otis was the fittest Person to be Governor of this Province: The Contrast is not greater in the former Case. I have bore no Part in this Dispute, except from the Effects it had upon my own Business, as it has been the Cheif Occasion of all the Opposition I have met with from the Council within these 6 Months past: but I have not as yet assigned this Cause for it. As I have entered so far into this Business, your Lordship will use this Information with all due Caution & Secrecy.

I am &c

The Right honble
The Lord Visc^t Barrington

LORD BARRINGTON TO GOVERNOR BERNARD¹

CAV: SQUARE Ap. 5. 1769.

DEAR SIR,

Since my former Letter began in March & herewith inclosed, I have reced your's dated feb. 20th I am happy to find by it that you wish to have the honour which has been confer'd upon you. I can also give you the pleasure of knowing that last Sunday the King spoke with the highest Approbation of your conduct & Services in his Closet to me. I am persuaded any proposal you shall² make for the advantage of your family will be kindly consider'd by his Majesty and his Servants. I shall make the proper use of the Particulars

¹ "Bernard Papers," vol. xii (Correspondence), p. 81.

² First written "can."

you send me concerning M^r Temple. I am in great haste the Packett being to be dispatch'd this Evening but I am not with less truth

Dear Sir

Your Excellencys

Your Patent
is passed.

most faithful &
obed. humble Serv.

I understand you are

BARRINGTON.

directed to come hither, but

Lord Hillsborough authorises me

to say you need not be in any inconvenient

haste to obey that instruction.¹

¹ The "Leave of Absence" is in "Bernard Papers," vol. xiii (Orders and Instructions), p. 243, and is as follows:—

George R.

Whereas Our Trusty and Welbeloved Francis Bernard, Esquire, Our Captain General and Governor in Chief of Our Province of the Massachuset's Bay, in America, hath humbly represented unto Us, that his private Affairs may require his Residence for some Time in this Our Kingdom, and therefore hath humbly requested that We would be pleased to grant him a discretionary Leave to be absent from his Government, and to permit him to return into this Our Kingdom of Great Britain; We are graciously pleased to condescend to his Request, and accordingly do, by these Presents, give and grant unto him the said Francis Bernard, Our full and free Leave, Licence and Permission, to come from his said Government of the Massachuset's Bay into this Our Kingdom and to remain here until Our further Pleasure shall be signified. Given at Our Court at S^t James's the Twenty second Day of June 1768. in the Eighth Year of Our Reign.

By His Majesty's Command
Hillsborough

Gov^r: Bernard Leave of Absence.

GOVERNOR BERNARD TO THE EARL OF HILLSBOROUGH¹

BOSTON Feb: 21 1769

MY LORD

Captⁿ Jonathan Carver commanded a Company in the Massachusetts Forces during the whole of the late War; & behaved extremely well as has been certified to me by General Winslow Brigadeer Ruggles & other Officers under whom he served. After the War he accepted of an Offer from Major Rogers to appoint him a Surveyor of the Country about & beyond the Lakes at the Pay of 10^s a Day, & went with him to Machilimakinac. From thence he went upon his Survey & staid out among differant Nations near two Years. He went 500 Miles beyond Lake superior, & came among Indians who said that they had an easy Passage to the western Ocean, which was about 600 Miles from them; & that in a few Days Journey they came to a River which carried them to the western Ocean. But he could not undertake this Journey having spent all his Stores & having Nothing left for Presents to the Indians thro' which he was to pass. I write this from Memory of former Conversation & may mistake. Upon his Return to Mackilimackinac he learned that Major Rogers's Power to make such an Appointment was denied, & there was no Office to which he could apply to for his Pay. *He was therefore obliged to return to this Country to solicit his Pay;* which not being able to procure here he is going to England, as well to solicit Pay as to Report his Discoveries.

As it is probable that his Case will come before your Lord-

¹ "Bernard Papers," vol. vii (Letter Book), p. 138. Although this letter was written to the Earl of Hillsborough, it will be seen by the next letter that a duplicate was sent to Lord Barrington.

ship's Office, I have thought proper to give him this Letter to certify my Knowledge of him & Opinion of his Fidelity & honesty, & also Poverty acquired in many Years Service.

The R^t Hon ble The

I am &c

Earl of Hillsborough —

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON Feb 21 1769

MY LORD

Captⁿ Jonathan Carver — & so forth as in the former Letter except the Words underlined omitted in Lord H's

The R^t Honble The

I am &c

Lord Visc^t Barrington

GOVERNOR BERNARD TO LORD BARRINGTON²

Dup. BOSTON March 15 1769

MY LORD

By a Letter from a Gentleman in London to his Friend here I have learnt that my Lord Hillsborough has expressed a Concern at some disagreeable Reports of me; one only of which I have any Knowledge of, which is that I left the Town on the Arrival of the Troops. And by another Letter I understand that this Complaint has been made against me by L^t Celonell Dalrymple who commanded the Forces from Halifax.

If I had not lived long enough to wonder at Nothing, I should be surprised to find myself charged with so groundless an Accusation from one who as a private Gentleman I treated with the most friendly Regard; and as a commanding Officer

¹ "Bernard Papers," vol. vii (Letter Book), p. 139. ² *Ibid.*, p. 267.

I waited upon with a Sedulity more inforced by my Attention to the Kings Service than reconcileable to the Dignity of my own Station. Tho I might leave such a trivial Charge to be refuted by my general Conduct; yet least it should have made an Impression to my Disadvantage, I have thought proper to give your Lordship a true state of the Fact.

When I am charged with *leaving the Town* on the Arrival of the Troops, would not any one imagine that the Town¹ was then the Place of my Residence? But the Truth is that I at that Time & for several Months before resided at my House at Roxbury, 4 Miles from Boston, a Retreat so necessary for preserving my Health & affording me Leisure for writing, that I could not have gone thro my Business without it. From hence I have, during the Summer, attended my Business in Town with as much Punctuality as I could have done if I had resided in it.

When the Troops were expected I had left Orders at the Castle that a Messenger should be sent to me as soon as the Ships appeared. This was so punctually executed, that I was at the Castle before the Ships had all come to Anchor & above an Hour before the commanding Officers got to the Castle — From this Day to the Time that the Troops landed I was at the Castle every Morning before 10 o clock & staid there till afternoon or Evening as I was wanted. At one of our Consultations there it was determined to land the Troops at Boston: immediately after this Resolution was taken I went to the Sherriff of the County & gave him Orders to provide Horses & Carriages for the Baggage & Artillery which was punctually done. After Provision was made for every thing requireable of the civil Power, & the Sherriff of the County was ordered to wait on these Gentlemen I did not imagine that

¹ First written "Place."

the personal Attendance of the Governor was either necessary or decent.

Your Lordship must know that at the Time of the landing there was not the least Apprehension of Resistance, as a Proof of which the commanding Officer went into the Town an hour before any Body of Troops landed. Every thing was done in good Order & all Provisions which could be expected were made. I was therefore at a Loss to know how I came to be blamed for not attending this Parade; till I learned it was thought that I ought to have provided a Dinner for the Officers upon this Occasion. I own it never entered into my Head to make an Entertainment at a Time of so much Hurry & Confusion: I could not have done it at my own House; & I could not think it proper for me to open a Tavern upon this Occasion: And this is my only Neglect of Duty.

This my Lord is the plain Narrative of Facts, upon which I shall make no Comment: But I shall only desire that if there is any Remembrance of this Charge to my Disadvantage, Your Lordship will use this Letter to my Vindication; if there is not, that you will excuse this Trouble.

I am &c

The R^t Honble The
Lord Viscount Barrington
No dup

P.S. I enclose Copies of the letters which passed between me & L^t Col Dalrymple before & after the Debarkation; from which it will appear that at the time when my Absence from Town was complained of I really was in Town & made an order for the accommodation of the troop, being all I could then do; and the day after, I was in Town & in Council upon this business. My attending in person the debarkation was not only unnecessary but highly improper.

GOVERNOR BERNARD TO LORD BARRINGTON¹

Dup: BOSTON March 18, 1769

MY LORD

I am favoured with Your Lordship's Letter of Jan 2nd; and am much obliged to you for the Hints it has conveyed of the Measures pursuing in Parliament, from which I know not how to expect that effectual Means will be used to restore the Kings Authority in this Province. I am sure that the Conclusion of the Address of the Lords will have no such Effect: for a simple Order to me to make Enquiry into the Proceedings, which have incurred the Penalties of Treason or Misprision of Treason, will have no other Consequence that to show the Impotency of Government; unless I am armed with some extraordinary Power to oblige Persons, whom I shall require to undergo an Examination, to submit to it. But I have no such Power at present; otherwise I should have exercised it long ago. And if I was to call before me, even by special Orders from the King, ever so many Persons knowing of the seditious & treasonable Practices of the Faction here, & was to *beg Leave* to ask them a few Questions, I should be answered, as it is said the Secretaries of State were by Wilkes, "You have leave to ask as many Questions as you please, but I *beg leave* to give no Answer to any of them."

In short, my Lord, this Government is now brought to this State, that if the Cheifs of the Faction are not punished or at least so far censured as to be disqualified from holding Offices; if the Appointment of the Council is not put into the Hands of the King; if the Governor & principal Crown Officers are not provided with adequate Salaries independent

¹ "Bernard Papers," vol. vii (Letter Book), p. 263.

of the People, It signifies little who is Governor. Whoever he is, he must either live in perpetual Contention in vainly endeavouring to support the royal Rights, or he must purchase Peace by a prudential Sacrifice of them. If any one by a Comparison of former Times should doubt of this being a true State of the present, let him consider that untill the 4 or 5 Years last past, the Power of Parliament was thought omnipotent, the Authority of the King was revered, the Governor & the Council his Assistants were respected, & the People in whom, by the Constitution, the cheif Weight of Power was lodged, were kept in awe by the Consideration that the Abuse of their Charter priviledges might occasion the Forfeiture of them. But for these 4 Years past so uniform a System of bringing all Power into the Hands of the People has been prosecuted without Interruption & with such Success, that all that Fear Reverence, Respect & Awe which before formed a tolerable Ballance against the real Power of the People, are annihilated & the artificial Weights being removed, the royal Scale mounts up & kicks the Beam. And I do assure your Lordship if I was to answer to his Majesty himself on this Subject, I would give it as my Opinion that if He cannot secure to himself the Appointment of the Council, it is not worth while to keep that of the Governor. For it would be better that Mass Bay should be a complete Republic like Connecticut than to remain with so few Ingredients of royalty in it as shall be insufficient to maintain the real royal Character.

For my own Part I have gone too far, to think now of purchasing my Peace by giving up what I have thought my Duty to maintain; even if I could be permitted to do it without being blamed. And as M^r Townsends Acts, among which is that of Providing adequate Pay for the Governors &c, are condemned, altho' the Execution of the Sentence is

respected, I can form no Prospect in this Country; notwithstanding from my liking the Climate & loving the People I had formed Connections here, in parting with which I shall have some Loss, as well as pain. It is therefore extremely agreeable to me to see your Lordship's Concern to get me removed to some other Government or a Provision at Home: tho I have no Hopes of the latter, as I am sensible how many Expectants there are for every Vacancy that happens.

It is a long Time since I first mentioned my Desire of having Barbadoes. In my Letter of Sep: 1. 1766 to your Lordship I mention the Governments then vacant & having declined Jamaica & the leeward Islands I add that I should most thankfully accept Barbadoes. In Jan^y 1767 I was advised by M^r Jackson that I might very possibly change my Government if I wished for it. In Answer to this I informed him of what I had wrote to your Lordship on this Subject, & desired him to talk with You upon it; & I accepted his Offer of representing my Case to Lord Shelburne. And I wrote to your Lordship informing you of what passed between me & M^r Jackson by my Letter of Jan^y 20. About a Year after this D^r Spry was appointed to Barbadoes: I cant say but that I was mortified at this; & thought my Services & Sufferings much overlooked in seeing myself postponed to a Gentleman whose public Merit seemed to consist in his having lived 2 Years in a disagreeable Place with little to do & nothing to suffer or to fear. This is the State of my thoughts on Barbadoes concerning which my Opinion is not changed. For tho I would avoid a hot Climate in general Yet I have had such favorable Accounts of the temperature of this Island, that I would venture upon it; especially as all other Considerations make the Appointment very desirable. M^{rs} Bernard joins with me in these Sentiments, as she does in that per-

petual Respect & Gratitude which I have so frequent Occasion to express for your Lordship: with which I am My Lord &c.
 The Right Honble
 The Lord Viscount Barrington —

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON April 12 1769

MY LORD

Your Lordship has foreseen the Necessity of my being removed from hence: it is become very apparent; for we have just now learned that any one who will pay for them may have Copies of the Letters & Papers laid before the Parliament. There are just now arrived 6 of my Letters & 1 of General Gage's attested by the Clerk of the Papers; & M^r Bolla who has sent them hither promises the rest as soon as they can be copied. The Councillors to whom they were sent immediately met, & ordered these Papers to be printed; but the Publication of them is deferred untill Observations can be finished to accompany them, which a Gentleman has been hard at Work upon & will have completed in a Day or two. They are then to be sent about the Province in order to inflame the People against the Election in May next, which they will effectually do. In the Mean time they have been read by the whole Town at the Printers.

This puts an End to all my Hopes of doing any good here & necessarily turns all my future Views out of this Province. For it is impossible for a Governor who has been engaged in such Contests as I have been, & has as well by special Orders as by his own Sense of His Duty, given free & full Information of the Proceedings of the factious Party, to think of staying

¹ "Bernard Papers," vol. vii (Letter Book), p. 278. This letter was headed "Private," but later it was crossed off.

in the Province, after his most confidential Letters are put in the Hands of the Faction and printed & dispersed among the People. For tho the Letters may be very justifiable with indifferent & impartial Persons, yet it cannot be expected that they will be treated with any Degree of Candour by those whom they affect.

I have thought proper to give your Lordship this Account that you may see that the Question of providing for me elsewhere is determined. I have before signified my Thoughts of going to England after I have held the next Session: but it is now made a Question whether I shall be able to hold the next Session at All;¹ Some of the Council having insinuated that I shall not. However I shall make the Trial; & shall do every thing I can to defeat the Intention of the Councillors & to weather this fresh Storm. As soon as these Papers are published I will write to your Lordship again.

The R^t Honble The
Lord Visc^t Barrington.

I am &c

LORD BARRINGTON TO GOVERNOR BERNARD²

CAVENDISH SQUARE June 4th 1769

DEAR SIR,

I have communicated to Lord Hillsborough your Letter of the 15th of March concerning a Complaint made by Colonel Dalrymple, whose representations have done you no harm except among those who were before very ill inclined towards you. His Lordship is not one of this number, and agrees with me that your whole conduct in respect to the Troops has been not only innocent, but highly meritorious. Whoever had a doubt before, must be clear in respect to that

¹ Followed by "or no," then crossed off.

² "Bernard Papers," vol. xii (Correspondence), p. 99.

matter after reading your Letter which I am now answering, and the Papers by which it is accompany'd.

I have also shewn to Lord Hillsborough your Letter of the 18th the opinions of which he entirely approves. As to that part of it which concerns your self, he would most undoubtedly offer you Barbadoes if it were vacant. I have never forgotten your determination concerning that Government; but as I never lived in any sort of intimacy with Lord Shelburne I did not mention it to him: You have lost nothing by my Silence.

I am now come to your Letter of the 12th of April the last I have received from you. When it became necessary to Communicate the Situation of America to Parliament, none of the material lights received from thence could be retain'd, I mean those which came in an official Way. Every Paper laid before either House is immediately known to the whole world, a very inconvenient Circumstance in our Government: I do not however see how the knowlege of your Correspondence can do you any harm in the Massachusetts, for there is not one expression in it which goes injuriously to the Colony, quite otherwise. It is true you do not spare the factions, and it is your merit to have attack'd and resisted them in every possible way, by which you were as obnoxious to them before your Letters were seen, as since: Besides you are on the point of leaving your Government, and I have even doubts whether this Letter will reach you. I shall not write any more unless I find you continue on the other side of the Water longer than I expect. I wish you, Lady Bernard and all my Cousins a safe & happy passage, and I am to them all as well as to your Excellency,

A most faithful

& obedient humble Servant

BARRINGTON.

GOVERNOR BERNARD TO LORD BARRINGTON¹BOSTON May 30th 1769

MY LORD

Your Lordships Letter of feb 12–March 1 did not come to my hands till May 20. Your Sentiments of the Proceedings in Parliament exactly correspond with those of the Servants of the Crown & the Friends of Government on this Side of the Water; who are now more dispirited that ever; as on the other hand the Sons of Liberty are much more elevated. However I myself have Hopes that some thing more will be done before the Parliament rises: if there is not, this Government will soon become an anarchical Democracy; a strange Compound of Policy!

Tomorrow the new Assembly meets, which will be almost wholly composed of the Tools of the Faction. Many of the Friends of Government have² been turned out; Many have declined serving; the few who will be³ in the House will be only Spectators. So that the Faction will have every thing in their hands. As to the Council if I was to attempt to reform that Body by Negatives, I must reject two thirds of them: but this is become now so trifling an Expedient, that I would not negative a single Person, if I was not afraid of incurring Blame by so doing. What I shall do in this will now be more as a Salvo for myself than for any real Use. That Board must now be corrected in its Body & not in its Members.

I have lately received an Order from the King that I should repair to England to lay before him a State of the Province: this is much better than meer Leave of Absence. It was accom-

¹ "Bernard Papers," vol. vii (Letter Book), p. 293.

² First written "having."

³ First written "have been," then changed to "will be."

panied with the Honour, which I suppose was thus timed to prevent any triumph from Insinuation that I was removed in Disgrace. As I persuaded myself that it would be expected I should stay the Opening of the Session, I was not prepared to depart before it; & it seems to be best that I should stay thro' it, disagreeable as the Business is like to be. When that is over I shall get away as fast as I can probably by the End of July. I expect to be accommodated with a Passage in the Rippon which carried Lord Botetourt to Virginia. Lady Bernard stays behind me: she begs to join in our ¹ respectful Compl^{ts} to Your Lordship.

I am with &c.

The R^t Honble The
L^d Visc^t Barrington

P S. June. 1st

By the Delay of this Letter I have an Opportunity to send your Lordship a printed Account of the Proceedings in the General Court on yesterday & this day; from which you will perceive that the Faction has now got full Possession of this Government. They have turned out of the Council 4 Gentlemen of the first Characters, the only Men of Disposition & Ability to serve the Crown left in it. I have negatived 11 of the List of the Elected, being 5 more than I ever negatived before at one time; among these are 2 old Councillors the cheif Movers of the late Opposition to the Kings Authority from the Council. All things are going into Confusion; & it will grow worse & worse untill the Parliament interposes to Purpose.

F. B.

(Second Postscript to the Duplicate of the Letter to Lord Barrington ² dated May 30, 1769)

¹ First written "her."

² "Bernard Papers," vol. vii (Letter Book), p. 299.

2nd Postscript June 27

To the present enclosed Duplicate I add an original Postscript to introduce some more Inclosures to show in what Manner the Faction, which has at length got Possession of both Houses, is disposed to proceed. They have before refused to do Business at Boston, unless the Troops were removed: I have thereupon moved the Assembly to Cambridge at 4 Miles distance from the Troops: they now say that they will not do any Business unless all the Troops are removed from the Province; this I mean to be said without Doors; when they declare it from the House in form I shall know what to do. However every one tells me they will persist in it: all I shall have to do will be to get a positive Declaration from them. And yet if the Troops are removed the principal Officers of the Crown, the friends of Government, & the importers of goods from England in defiance of the Combination, who are considerable & numerous must remove also. I shall write to Your Lordship further upon this.

GOVERNOR BERNARD TO LORD BARRINGTON¹

BOSTON July 8 1769

MY LORD

I had but just time in my last Packet to acknowledge² your Lordship's Letter of March 21-April 1. Since this no Ship has sailed from hence to London; & I have been fully employed as your Lordship will see by the inclosed papers.

If there has been a Difference of Opinion in the Administration about American Measures, as we learn by wofull Experience there has, It cannot continue a Year longer;

¹ "Bernard Papers," vol. viii (Letter Book), p. 1.

² First followed by "the Receipt of," then crossed off.

for the Americans will make them open their Eyes in Spight of their Teeth, & tell them in Words of Scripture "you are careful about many Things but one Thing is needful." There is but one Way now of dealing with America : Lenitives have brought the Disease to its present Height & will if continued make it incurable.

A Member of Parliament (a friend of your Lordships & a protestee against the late inactive Proceedings) writes to his friends here, that he does not see that any thing will rouse the Government, but the Americans attacking the Navigation Act. If that is wanting it will not be so long: for I can assure you the Navigation Act is a principal Object with them. Some Months ago one of the Cheifs of the Faction here said in a Company consisting cheifly of his own Party, that things would never be properly settled in America till the Parliament had repealed all the Acts affecting the American Trade from the 15th of Charles 2 to the present time. This I took down from a Gentleman who heard it spoke; & you may tell it to M^r Stanley as a Fact.

Your Lordship will judge of the temper & disposition of the Faction & its Creatures who are no less than the whole Council & the whole House (excepting some few Members of the latter who never come near it) from the Papers I send you with this, which are a Continuation of the Papers published by the House. I have no time to animadvert upon these; but must observe that upon the Publication of the Resolves on July 3, The Speaker denied that those Resolves had *all* passed the House; The Clerk of the House insisted that they had passed the House; & that it was a true Copy. However the House has again taken them into Re-Consideration, & has, as I understand, qualified the second, in this Edition, so that it shall refer to Acts of Taxation only, whereas

at present it extends to all Acts¹ whatsoever. But this is only procrastinating: for both their Arguments and their Intentions lead equally to all Acts of Parliament.

Your Lordship judges right of the Efficacy of the Additional Clauses in the Mutiny Act: they will have no Effect in this Country. I am assured for certain, that the House will make no Provision for the Expence of hiring Barracks here, nor for the Parliamentary Provisions in such Barracks; neither will they provide any Funds for making any farther Provisions for the Troops in the Provincial Barracks at Castle Island. I expect to be able to inclose in the Cover of this an Account of a positive Refusal of this Demand: So that you must not depend upon the Mutiny Act for quartering Soldiers in this Country. The inlosed Papers will show you what you have to expect: but that is of another Kind than Obedience to Acts of Parliament. — I expect to have an Opportunity of adding another short Letter to this; so will conclude this with assuring you that I am with a most perfect Respect

My Lord &c —

The R Honble The
L Visc^t Barrington

GOVERNOR BERNARD TO LORD BARRINGTON²

BOSTON July 13 1769

MY LORD

I have not been able as yet to get from the House an Answer concerning Provision for the Troops: but it is certain they will refuse doing any thing at all under the Act of Parliament or otherwise. I here inclose to your Lordship a complete Set of the Papers published by the House during this Session

¹ Followed by "of Taxation," then crossed off.

² "Bernard Papers," vol. viii (Letter Book), p. 3.

& shall ¹ add what is to come. As for that Resolve concerning Acts of Parliament which was afterwards altered by the House, You will find the Substance of the original Resolve in almost the same Words in their Message of June 13: this has received no Alteration. The Rippon is just now come into the Harbour & I expect to embark in her by the End of this Month.

I am &c

The R^t Honble The
L^d Visc^t Barrington

LORD BARRINGTON TO SIR FRANCIS BERNARD ²

BECKETT September the 7th 1769.

DEAR SIR,

I most sincerely congratulate you on your safe arrival in England, and think my self very unfortunate in being here, at a time when perhaps you may want me in London. I am obliged to stay here till Monday, having my house full of Company who continue with me till then: On Tuesday before dinner I shall be in London, and hope to get to the War office by two o'Clock, it being my office day: I will endeavour to wait on you in Chidleigh Court as I go thither, and shall be able to fix a time when we may have a great deal of Conversation on many Subjects. I hope you left Lady Bernard & my Cousins in perfect health. I am with great truth & regard

Dear Sir

Your most obedient

humble Servant BARRINGTON.

¹ Followed by "have the Pleasure," then crossed off.

² "Bernard Papers," vol. xii (Correspondence), p. 131.

LORD BARRINGTON TO SIR FRANCIS BERNARD¹BECKETT Oct^r 12. 1769.

DEAR SIR,

I have been considering that the admirable Canoe you were so good as to give me will be useless here. Nobody can navigate it or will venture to go into it. If it receive damage nobody can mend it, & I have no place to put it in. On the whole therefore, after retuning you many thanks for so curious & valuable a present, let me beg of you to give it to some other friend. It is still at my house in Cavendish Square.

I cannot write to you without making you many sincere acknowledgments for your kind visit here. I am with my Compliments to my Cousin

P. S.

Dear Sir

If you are at a loss

Your most faithful

how to bestow the Canoe,

& obedient humble Servant

Cap. Barrington shall present it in

BARRINGTON.

your name to the Duke of Cumberland.

LORD BARRINGTON TO SIR FRANCIS BERNARD²BECKETT Oct^r 18th 1769.

DEAR SIR,

I can see no Publick objection to your Succeeding Sir Henry Moor; on the contrary I think it eligible: But would the assembly of New York grant you a Salary in your present state of American unpopularity? That point once secured, I think you should propose your appointment to Lord Hillsborough the first time you see him; telling him if you think proper that I have advised you so to do. However in my Opinion nothing should retard the grant of your pension,

¹ "Bernard Papers," vol. xii (Correspondence), p. 151. ² *Ibid.*, p. 153.

which once obtained you may talk of other matters more at your ease; besides you should be paid here from the moment when your Salary ended at Boston.

I shall be in London the 30th of this month. I am with great truth and esteem Dear Sir

Your most faithful

All here send Comp^s humble Servant

to you and my Cousin.

BARRINGTON.

LORD BARRINGTON TO SIR FRANCIS BERNARD¹

CAVENDISH SQUARE 30th Nov^r 1771.

DEAR SIR,

Tho' it is impossible to hear of the death of M^{rs} Beresford without lamenting the loss of so excellent a Woman, I cannot help rejoicing at the considerable addition made to your Fortune: I know you will make the best use of it. I congratulate two of my Cousins on the handseme Legacy which has been left to them; & their Sisters on the paternal Settlement which you are going to make in their favor. I am very sensible of your friendly attention in communicating this event to me.

The unexpected Vote lately carried in the House of Commons in Ireland by a large Majority, I conceive will prevent the New Commission's taking place, or at least Suspend its operations; A circumstance which in all probability will be convenient to You, as M^{rs}. Beresford's death must be the occasion of a good deal of business, which could not be well done in your absence.

I am, with my best compliments to all with you,

Dear Sir

Your most faithful &

Obedient humble Servant

BARRINGTON.

¹ "Bernard Papers," vol. xii (Correspondence), p. 235.

LORD BARRINGTON TO SIR FRANCIS BERNARD¹

CAVENDISH SQUARE Jan : 7. 1772

DEAR SIR,

Since my arrival in Town, I have seen Lord North who desires me to inform you with his Compliments, that it will not be expected that you should do any thing contrary to your inclinations or hurtful to your health. I do not beleive it is determin'd that the Irish Commissions of Revennue shall be establish'd, but if they should be you will be willingly allow'd to remain as you now are.

I know one of your objects in going to Ireland was to provide for my cousin Tom: There is now vacant a small office in my recommendation, which after paying a deputy will I beleive produce a sine cure 60£ per annum. If that trifle be agreeable to you, and to him, it is at your service. It becomes vacant by the death of my worthy and ingenious friend M^r Stillingfleet for whom I promised it some years ago.

I hope your health continues mending & I am with the greatest truth & regard

Dear Sir

Most faithfully yours

BARRINGTON

My Comp^s attend
my Cousins.

LORD BARRINGTON TO SIR FRANCIS BERNARD²CAVENDISH SQUARE Jan 29th 1772.

DEAR SIR,

Hearing that the Commissions of Customs and Excise in Ireland were to take place, I went this morning to Lord North, and enquired whether your name stood in one of them. He said it did for the present; but that your attend-

¹ "Bernard Papers," vol. xii (Correspondence), p. 243. ² *Ibid.*, p. 245.

ance was not required now, and that if you chose on the whole to decline that Service on Account of your health, you should remain with your pension, and a Succesor should be appointed: Your mind may therefore be perfectly at ease on this Subject.

I hope Bath has done you service already and will perfectly restore you soon. Pray let me hear frequently of your health & beleive me ever, D^r Sir

P. S

Most faithfully yours

My Cousin Tom is appointed,

BARRINGTON

but he need not come to Town on that Acc^t

SIR FRANCIS BERNARD TO LORD BARRINGTON (?)¹

BATH Feb 1st 1772

MY LORD

/I received the favor of yours of the 29th & am extremely obliged to your Lordship for your² concern for me./ I did not imagine if it was proper for the Irish Business to go on immediately that it would be³ be Stoppeded on account of altering my name in the Commission as that might occasion a great deal of delay which might be all saved hereafter with a very little trouble. I am much obliged to my Lord North for allowing me a further time to consider of this undertaking tho I dont think that it can make any alteration in my desire to retire — this attack has quite frightened me & I cannot in my own Mind realize the expectation every body gives me that I shall not be the worse for it. however as long as the public business is not impeded by me I am very willing that the matter should rest till I am able to apologize

¹ "Bernard Papers," vol. viii (Letter Book), p. 180.

² Followed by "care of &," then crossed out.

³ First written "& it cou'd," then changed to "that it would be."

myself for this disappointment if it must be one, so that it be done without creating any dependance on me to serve in this Capacity. the waiting for this cannot make¹ a delay of more than 2 or 3 Months. I began drinking the Waters last Monday & they agree very well with me, but yesterday I got a little Cold & I must wait the event of that before I can go on with them — mine I find is a common case & will probably be remedied without Bathing.

My Son was expected at Kensington on Thursday last & will wait on your Lordship Soon after his Arrival. Lady B. talks of setting out for Bath soon after her arrives & I hope she will make no unnecessary delay, for it is unpleasant to me to be separated from my Family at this time only my eldest Daughter being with me.

I return Your Lordship many thanks for your kind care of me & am

With great Respect
My Lord
Your Lordships²
most obedient
humble Servant

¹ First written "create."

² Followed by "faithful & obedient Servt," then changed to "most obedient humble Servant."

LORD BARRINGTON TO SIR FRANCIS BERNARD¹

CAVENDISH SQUARE March 10. 1772.

DEAR SIR,

Tho' I frequently meet Lord North I had no good opportunity of speaking to him about you till this day. He will replace you in the Pension when a proper person is found to succeed you in the Irish Employment, but for the present your name must continue in the Commission, & you will be paid as a Commissioner. He says you need not however give your self the least concern about Ireland: No Man can be more inclined to serve and oblige another than Lord North is with respect to you.

I shall keep an Ensigny in a good Reg^t for my Cousin and namesake who may go with you to France if you desire it. Dijon is a pretty Town in a fine Country, but I do not believe the Air (tho' good) is any thing extraordinary in Burgundy. I hope wherever you are that your health will perfectly return, & that you will enjoy every comfort of Life. I am ever D^r Sir

Your most faithful
humble Serv^t

BARRINGTON.

LORD BARRINGTON TO SIR FRANCIS BERNARD²

CAVENDISH SQUARE 20th March 1772.

DEAR SIR,

I agree entirely in opinion with you that you ought to have a Letter from Lord North, securing your return to the Pension whenever you shall be removed from the Commission. I see no objection to your applying in the manner you propose

¹ "Bernard Papers," vol. xii (Correspondence), p. 247.

² *Ibid.*, p. 251.

for your continuing on the Pension for Six months longer. I saw your Son this morning, but I could not give him any intelligence concerning the manner or place of receiving the Irish Salary: but I apprehend you must appoint an Agent in that Kingdom.

I am with my best compliments to Lady Bernard, & my Cousins

Dear Sir

Your most faithful &
obedient humble Servant
BARRINGTON

LORD BARRINGTON TO SIR FRANCIS BERNARD¹

CAVENDISH SQUARE April 13th 1772.

DEAR SIR,

I always go to Beckett at Easter for a few days to settle Accounts do business &c, but I never encourage any of my friends at that time to call on me, as I am totally incapable of receiving then, even with tollerable convenience. I have no Servants but my old superannuated Housekeeper, who gets me a beefstake; and the House remains unfurnish'd as every thing is taken down at the beginning of the winter on account of the Damp. That Damp still continues, & I fear would make it dangerous for a *convalescent*. On these Accounts I must not wish to see you at Beckett till the Summer comes & my family goes down — I shall then receive you and any of my Cousins with the greatest pleasure.

If however you want to see me *now*, I will receive you as well as I am able, any Day between Easter Sunday & the Thursday following, unless I should be suddenly calld away on account of Insurrections from the dearness of Provisions,

¹ "Bernard Papers," vol. xii (Correspondence), p. 257.

which have begun, & I fear will spread. Your best way from Bath is by Ciceter and Faringdon. If you come, be pleased to let me know the day by a Line directed to me at Beckett near Faringdon, *by the Cross Post*. I hope you are in a fair way to be soon perfectly well, and I am with the greatest truth & regard D^r Sir

Your most faithful
& obed Servant

BARRINGTON.

Cav: Square April 13. 1772.

LORD BARRINGTON TO SIR FRANCIS BERNARD¹

BECKETT April 23^d 1772

DEAR SIR,

Last night I received your Letter of the 19th Instant enclosing a Copy of a Letter from you to Lord North, which to me seems proper and reasonable in the highest degree: What you ask you ought to claim, & he ought to grant.

I am very glad you did not come hither: The roads are worse than I ever remember them, the Country more deep and dirty, the weather till to day bad, and the House damp. I hope you and my Cousins will think of this place when it is more fit to receive you. I am ever D^r Sir

Your most faithful
humble Servant

P. S.

BARRINGTON.

Your next sh^d be
directed to London.

¹ "Bernard Papers," vol. xii (Correspondence), p. 253.

SIR FRANCIS BERNARD TO LORD BARRINGTON¹

Copy —

AYLESBURY Jan 4 1774.

MY LORD,

Your Lordship gave me Leave to trouble you again upon my Subject, to point out to you the great need there is of settling my Affairs at the Treasury, and to show how much I am affected by the delay of it. And I have had fresh Occasion to do this since I left London, having had Returns of my Disorder, tho' not quite in the same Shape. Having had an Opportunity of talking with D^r Smith of Oxford, who has before been acquainted with my Case, He earnestly recommended a change of Climate, which he said would do me more Service than the whole class of Medicines, and proposed my going to the South of France, to Tours or Dijon &c. This would be extreamely agreeable to me, and I believe very beneficial in other Respects as well as that of Health.

Your Lordship may remember that when I wrote to you from Bath in feby 72, I then mentioned my having this Design, and I then solicited my being released from my Office in Ireland and restored to my Pension, as the means to enable me to carry this Purpose into Execution. But by the Delay of my Release, I was obliged to postpone my Journey to France and at length to lay it aside and flatter myself with the hopes of doing without it; till I at length am told that it is necessary to the Recovery of my health, and should be pursued presently; which I must now do under greater difficulties and to greater Disadvantages than it would have been if it had been set about when it first was proposed; to say nothing of the Loss of Time, which in this case is a material Circumstance.

¹ "Bernard Papers," vol. xii (Correspondence), p. 289.

To facilitate your Lordship's Sollicitation and to refresh your Memory of what I have before given you too much trouble in, I shall with this inclose Copies of the cheif original Papers, which I have before presented; which, if the Originals should not be at hand, may be used as such. I have proposed only, that your Lordship should speak to M^r Robinson on this Subject; if you should see an Occasion to go farther, I must leave it to your Judgement, as I have no doubt of your perfect good will towards me.

The Objects of my present Sollicitation are 1. That I may be restored to my Pensions with a Satisfaction for the Loss I have suffered by the Deficiency of the Equivalent given in Lieu of them. 2. That upon the Revival of them, part, £400 (or if it should be more agreeable £300 or £200) shall be appointed for the Life of Lady Bernard. The first of these I consider as already assured to and wanting only a formal Settlement. The other is indeed a new Request: but it is only that out of a Bounty granted to me a provision may be made for my Wife in the way of Defalcation from me, and not by any additional charge. This will be only anticipating what will otherwise be a charge on the King's benevolence, upon my Death; which will be unavoidable, if it shall appear as it will most probably be, that my Life was shortened by my fidelity in the Kings Service, and the Consequences of it.

For in truth, my Lord, when I reflect upon my case, I cannot but consider myself as a Martyrr to the Cause of Great Britain. For if the Parliament had not taxed the Colonies; or if I had not in the height of my Zeal for my Mother Country, and the Service of the King tho't it my Duty to support the Authority of Parliament; or if the Parliament had thought it their Business to support their own Authority, I should probably at this time have been in Ease, affluence and Health,

and should have attained many more Years than I am now like to see. And then I should not have had an occasion to solicit a Subsistence out of the publick Stock, without making an actual Service a Consideration of my pay. It is therefore with much Regret that I am become a Pensioner or desire to be one.

Your Lordship's Friendship has been the Balm of my Life, and now it supports me in persisting in my Endeavours, before I go hence, to see my Family decently provided for; one Means of which is the Extending my Life to a few more Years; and upon that Account I desire to be at Liberty to take the best care of it that I can. I therefore intend, if I have Leave, to go abroad next Summer: but shan't be able unless my Dependance on Government shall in some way or other be made certain.

I am &c

FRA BERNARD

The Right Hon^{ble}

The Lord Vic^t Barrington

APPENDICES

I

LETTERS, OFFICIAL AND OTHERS

LORDS OF TRADE TO GOVERNOR BERNARD¹

WHITEHALL, March 11th 1763

SIR

We have taken into Our Consideration your letter to Our Secretary, dated the first of December, and the several Papers which you have addressed to the Board, relative to the Grant of the Island of Mount Desart, which the General Court of Massachusetts Bay is represented to have made to you in July 1762.

We can have no objection to your acceptance of this Grant as a Testimony of the approbation and favour of that Province, in whose Service, and in the Conduct of whose Affairs, you have manifested so much zeal and capacity, nor should We have delayed Our Representation upon it to the Crown, if the deed itself had been before Us. You are sensible there are some Circumstances peculiar to the situation of this Trait of Country which make it necessary to consider both the Case itself, and the manner of carrying such a Grant into Execution: When We shall be actually in Possession of the Grant We will bring the Matter to issue with all possible Dispatch, and endeavour to decide whatever questions arise

¹ "Bernard Papers," vol. x (Correspondence), p. 63.

upon it, in a manner which shall be agreeable, and upon grounds which shall be just to all Parties concerned.

It may be proper to observe to you, that the doubt conceived upon the Claim of the Province of Massachusetts is not founded upon the Allegation, that the lands to the East of Penobscot were not in the Possession of the Crown at the time of Granting the Charter, but upon the Operation which the Treatys of Riswick and Breda (by which Treaties this Tract of Country was ceded to France) should be admitted to have had upon the Charter itself.

We cannot take upon Us at present to say how far all future Consideration of this Question is precluded by the Order of Council grounded upon the Opinion of the Attorney and Solicitor General in 1731, this is a delicate point, which should be reserved till the deed shall come regularly before Us, and in the mean time We cannot think it expedient to advise any conditional Grant whatever of this Island. We are

Sir

Your most Obedient

humble Servants

C. TOWNSHEND

SOAME JENYNS

E: BACON

Francis Bernard Esq.

Gov. of the Massachusetts Bay

ORWELL

MINUTES OF THE TREASURY BOARD ¹WHITEHALL TREASURY CHAMBERS 28 Nov^r 1764

Present

M^r Grenville.

Lord North.

S^r John Turner.M^r Hunter.M^r Harris.

My Lords are of Opinion, that no Commander in Chief or Governor is authorised to incur any Expence for which Money has not already been granted by Parliament, or which has not been previously approved of by His Majesty and His Majesty's Orders signified by this Board for that purpose.

2^{dly} That if any Governor or Commander in Chief shall be of Opinion that any Expence ought to be incurred for the Good of His Majesty's Service, he is previously to make Representation thereof to the proper Office at home, who are to communicate the same to this Board that His Majesty's Pleasure may be taken thereupon, and that proper Estimates may be laid before Parliament to the End that such Sums may be granted as Parliament shall think necessary for that purpose.

3^{dly} That if sudden and unforeseen Emergencies should arise, where it is absolutely necessary that the Service should be undertaken before His Majesty's Pleasure can be known, or the necessary Sums be granted by Parliament for that purpose such Governor or Commander in chief may in these Cases only draw upon the Lords Commissioners of His Majesty's Treasury, and on no other Person whatever,

¹ "Bernard Papers," vol. x (Correspondence), p. 258.

and at the same Time that he make such Draught he is to transmit to their Lordships as well as to the proper Office to whose Department the Service so undertaken particularly belongs, Information thereof with the Reasons why consistently with the Good of the Service it was not possible to delay the incurring such Expence until such Time as the Regulations above mentioned could be complied with.

4^{thly} That all Governors and Commanders in Chief be acquainted that no Bills will be accepted until the Information above required be received, and that they be at the same Time apprized, that they will become Accountants to His Majesty for the Sums they shall respectively draw upon the Lords Commissioners of His Majesty's Treasury, and that in passing and allowing their Accounts for the Expenditure of the same their Lordships will take into Consideration not only the Authenticity of the Vouchers, but the urgent Necessity of the Services so undertaken, and the Reasonableness of the Prices at which the same were performed.

M^r Chancellor of the Exchequer is desired, to lay this Minute, containing the humble Opinion of this Board, upon a Subject of so much Importance, before His Majesty, that if His Majesty shall be pleased to approve thereof, His Royal Pleasure may be signified thereupon in such manner as His Majesty shall direct.

Ex^{cy}

JOHN POWNALL TO GOVERNOR BERNARD¹WHITEHALL Dec^r 7th 1764.

SIR,

His Majesty having been pleased to approve a Minute made by the Treasury Board on the 28th of November last, in relation to publick Expences, which may be incurred, or Bills drawn, by any Commander in Chief or Governor; I am directed by the Lords Commissioners for Trade and Plantations to send you the inclosed Copy of the said Minute for your Information and at the same Time to acquaint you, that the Regulations of the said Minute are not to be understood to extend to Money which has been or may be voted by Parliament to support the civil Government of the Colonies, or to any Establishments which have received His Majesty's Approbation. I am, Sir

Your most obedient
humble Servant

JOHN POWNALL

Francis Bernard Esq^rGov^r of the Massachusetts Bay.SECRETARY AT WAR TO THE EARL OF HALIFAX²

Extract of a Letter from the Secretary
at War to the Earl of Halifax.

WAR OFFICE 7th Feb^y 1765.

His Majesty's Intention is, that according to His Commissions granted for that Purpose, the Orders of His Commander in Chief & under him of the Brigadiers General commanding in the Northern & Southern Departments, in all military

¹ "Bernard Papers," vol. x (Correspondence), p. 254.² *Ibid.*, p. 272.

Matters, shall be supreme, & must be obeyed by the Troops, as such, in all the Civil Governments in America.

That in Cases where no specific Orders have been given by the Commander in Chief, or by the Brigadiers General commanding in the District, the Civil Gov^r in Council, & where no Council shall subsist, the Civil Gov^r may, for the Benefit of His Government, give Orders for the Marching of Troops, the Disposition of Them, for making & marching Detachments, Escorts, & such purely military Services within His Government, to the Commanding Officer of the Troops, who is to give the proper Orders for carrying the same into Execution, provided they are not contradictory to, or incompatible with any Orders he may have received from the Commander in Chief or the Brigadier Gen^l of the District, and the Commanding Officer is from time to time, duly to report, with all convenient Expedition, to the Commander in Chief, or to the Brigadier Gen^l such orders which he shall have rec'd from the Civil Governor.

That the Civil Gov^r of the Province shall give the Word in all Places, where he shall be within his Province, except when the Commander in Chief or Brigadier Gen^l shall be in the Same Place.

That the Return of the State & Condition of the Troops, Magazines & Fortifications shall be made to the Gov^r as well as to the Command^r in Chief & Brigadier Gen^l.

That the Civil Gov^r is not to interfere with the detail of the military Regimental Duty & Discipline, the Reports concerning which are to be made to the Commanding Officer who is to make his general Report to the Civil Governor.

When the Commander in Chief or Brigadier Gen^l shall be present, all military Orders are to be issued by them only.

LORD HALIFAX TO GOVERNOR BERNARD¹

Circular

*Duplicate*St. JAMES'S 9th Feb^y 1765

SIR,

Misunderstandings having arisen between the Civil Governors, & the Commanding Officers of the Troops stationed in some of His Majesty's Colonies, concerning the Intent and Meaning of the Powers respectively vested in Them, with Respect to the General Command and Disposition of the Troops within such Colonies; His Majesty, for the more effectual Prevention of Such Misunderstandings in future, has been pleased to declare His Intentions in that Behalf, by some explanatory Orders, of which I herewith transmit to You a Copy, that You may govern Yourself accordingly.

I am with great Truth & Regard

Sir

Your most obedient

humble Servant.

Dunk Halifax

Francis Bernard Esq^r Governor of Massachusetts Bay.

GOVERNOR BERNARD TO MAJOR GENERAL GAGE²

CASTLE WILLIAM, Aug^t 27, 1765.

SIR,

I doubt not but you will have an account of the riots at Boston, upon the business of the Stamp Act before this comes to hand. The Mob was so general & so supported, that all civil Power ceased in an instant, & I had not the least authority to oppose or quiet the Mob. You are sensible how

¹ "Bernard Papers," vol. x (Correspondence), p. 270.

² *Ibid.*, vol. iv (Letter Book), p. 62.

extreamly weak an American Governor is in regard to popular tumults, without a file of Men at his Command, & having no regular troops, at present, within call. In this state, I could look only towards you: and I was assured that you had but two Companies with you, and those I conceived could not be properly moved from their Present Station for obvious reasons. I therefore listened to flattering hopes that these Troubles might subside of themselves, & that temporary Quiet might take place till we could hear from England. But in this I have been deceived: for the fury of the Mob is grown more extravagant than ever. Last Night they destroyed & rifled the L^t Gov^{rs} House from Top to Bottom; all his Cash, Papers, furniture, Cloaths, &c, are carried off, & wasted & burned; They served M^r Hollowell's, Comptroller of the Customs, after the same manner; also M^r Story, the Register of the Admiralty's House, all whose Papers & Books, among which were all the records of the records of the Admiralty, were burnt before his door. Another House, M^r Paxtons, was intended for ruin; but begged off by the Landlord of the House. My House was not attacked at all; which I wondered at: for the other Persons having offended them only by being in Office under the King, I should have thought, that I should have been reckoned the most offensive. More mischief is daily expected: Where it will end no body knows. In short, The Town of Boston is in the Possession of an incensed & implacable Mob; I have no force to oppose to them; I know not whether I shall be able to preserve this Castle, which is threatned to be attacked, if the stamped Papers from England should be, as is designed, placed here. The Garrison, when compleat, amounts but to 60 men; & I dare not reinforce them out of the Country, for fear it should be the Means of betraying

the place. Under these difficulties, I have nothing to do, but to apply to you, as his Majesty's Military Commander in chief; & I can only recommend to you to use such means as you shall think proper to preserve his Majestys Dominion over this Town. I am going to Cambridge to hold a Council there, & consider what is to be done upon this occasion; one Measure must be to remove the Government to a place of Security, & there call the Assembly, who, I doubt not, will testify their Abhorrence of these rebellious Proceedings.

I am, with great regard, gⁿ &c.

Gen^l Gage.

GOVERNOR BERNARD TO MAJOR GENERAL GAGE¹

BOSTON Aug: 29 1765

S^r

I herewith send you two Proclamations which will in some Measure show the Particulars of two very outrageous riots at Boston. I also send you the Resolution of Council to a Question I put to them after a second riot: as they are of Opinion that there is no Occasion for the Assistance of the Kings Troops, I cannot ask for them; nor can I with Safety declare my own thoughts on this Occasion. The Town has been kept quiet for two Nights Past by Parties of Militia, in which the commanding Officers, to do them Justice, have been very active. So that I hope that Peace will be restored by internal Means only; but I cant be answerable for it.

The Council have desired me to cause the Stamp-paper when it arrives to be lodged in the Castle to prevent its being destroyed: and it is said among the People that the Castle shall not Protect the Stamp-paper; for they are determined to take it from thence. The Garrison at the Castle consists

¹ "Bernard Papers," vol. iv (Letter Book), p. 66.

of 60 Men; and I am going with advice of Council to raise a Company of 60 More to reinforce it. I hope this will be sufficient to defend the Castle; but can't be answerable for it, as I know not how it will be attacked. If the Assailants are numerous and desperate they must take it; for the outworks must be left undefended: but I hope they will not arrive to that Pitch of desperation. As M^r Miller is here, I intend to appoint him Lieutenant of the new Company. If I have your Leave: he has wrote to the Commanding Officer of his Regiment, but has not yet heard of his Resignation being accepted.

I am &c

His Ex: Major
General Gage

MAJOR GENERAL GAGE TO GOVERNOR BERNARD¹

NEW-YORK Sep^r 6th 1765.

SIR,

I had yesterday Evening the honor of your Letter of the 29th of August Inclosing the Resolution of your Council Board and two Proclamations which you have published. I wish the latter may have a proper Effect, but as none of the Delinquents have been apprehended and prosecuted I presume it is not practicable to do it; for it is not possible that they should be unknown. You will receive this by my Aid de Camp Cap^t Sheriffe, by whom you may safely write what you think proper. The Troops are so scattered over the Continent, that I would not be able to collect any considerable Body to join you under Months; and that by almost deserting the Posts in the upper Country. The nearest Place from whence any Military Force could be sent you is Halifax, and if you shall from your Situation, think it right and Ex-

¹ "Bernard Papers," vol. x (Correspondence), p. 284.

pedient that any Assisstance should be sent you from thence, you will make use of the inclosed Letter to Lieu^t Col^o Coningham; who is ordered to throw a Detachment of 100 Men of the 29th Reg^t and 12 Artillerists into Castle William. This Number with the two Companys of 60 Men each, which you will have there, may be sufficient for defending that Fortress against any thing that can attack it. The Troops are as much Scattered over Nova : Scotia as the other Provinces, and the only Place I can immediately detach from, is Halifax, which place will be extreemly weakned; and I propose to reinforce it after this Draught of 100 Men, by a Company of the 59th Reg^t from Louisbourg and another from S^t John's Island. Lord Colvile may send the Troops in some of the ships of War, which will be a further Protection to the Fort, and I think there is no Doubt of His Lordship's doing it, when you convince him of your Situation. I write to His Lordship, which Letter I inclose under a flying Seal for your Perusal, as I do all the orders Sent herewith, and you will forward the whole or not as you Judge best. That no Person might have any Suspicion of your sending a writing purposely to Halifax I have prevailed on Cap^t Wallace of the Tryal sloop of War who sails this Day for Halifax, to call at Boston undesignedly, in his way, so that you may dispatch him with any Letters you please. By the Description I have had of Castle William, I think with the Garrison proposed, and the ships of war nothing effectual could be brought against it. And I may hereafter when I shall hear fully from you; and that you think it necessary, reinforce that Place considerably. You will consider how the Castle is provided with Military stores and Artillery, how the Garrison can be best Supplied with Provisions, after what they carry with them shall be expended and how the Troops are lodged, and that they have

a sufficiency of Fuel, not to be in Danger of going away thr'o want or being cutt of in search of those Articles. You will acquaint me if you are in want of an Engineer, one shall be sent you, if you are. If I get hold of Castle William, I will engage to keep it fast as long as shall be necessary. You will think of the orders proper to be given to the Cap^t of the 29th Reg^t to whom you will no Doubt give the Command of the Castle. He will have orders to obey your Commands in general, but you may possibly be in such Circumstances as to be obliged to give orders, which you would wish should not be obeyed. Of this you will give me your opinion, and I will furnish the Captain with such specifick Orders from me, that nothing which you shall do from forceable Methods shall be obeyed. viz^t, To deliver the Castle into the Hands of no Persons whatever, but defend it to the last, not to deliver anything deposited in it, even by your orders. etc. From the Terms of your Letter, these Precautions may be necessary. you will take Care that the Troops shall have admission into the Castle when they arrive; as M^r Miller seems to be a Person in whom you have Confidence, you may contrive Matters with him, so that he may command there at the Time they do arrive, or use any other proper Method which you shall Judge the best.

I am with great Regards,

Sir,

If you can find a more

expeditious Method to convey

Your most obedient,

the Letters to Halifax, you will do it

humble Servant,

of Course, without waiting for the Tryal

THO. GAGE

sloop for it seems to me that no Time should

be lost

T : G :

His Ex^{cy} Gov^r Bernard

MAJOR GENERAL GAGE TO LIEUTENANT CONINGHAME¹NEW-YORK Sep^r. 6th 1765.

SIR,

You will please with all speed to embark a Detachment of the 29th Regiment consisting of one Captain, three Subalterns, four Serjeants one Drum, and one Hundred Men Rank and File and you will keep their Destination, which will be explained to you, as secret as you can, not letting the Captain receive his orders till the moment he sails. You will consult only with Lord Colville or officer Commanding His Majesty's Squadron, to whom you will apply, for to put the Detachment on Board some of the ships of War, which I am to imagine will accompany the Detachment to the Place of their Destination. and you will supply the said Detachment with three months Provisions at least. I write to Lord Colville by this Opportunity, who I make no Doubt will give all Assistance in his Power, and as the voyage is short, will make no objection to crowding the ships for a short Time. You will order the Captain to proceed to the Harbour of Boston, and find means as well as he can, to throw his Detachment into Castle-William, of which Fort he will take the Command and acquaint the Governor as soon as he can of his arrival there, to garrison that Fortress by my Order. The Provincial Forces, consisting of two Comp^{ys}. of 60 Men each which he will find in the Castle, will neither oppose his landing, or Entrance into the Castle, and will remain under his Command for the better Security and Protection of it. The Captain will obey such orders as Gov^r Bernard shall give him, except perhaps in

¹ "Bernard Papers," vol. x (Correspondence), p. 288. This letter is indexed as from General Gage to Governor Bernard, but is to Lieutenant Coningham as shown by the superscription, and is of interest in connection with the preceding letter.

some Cases, wherein I shall Judge expedient to send him Specifick Orders from myself; of which he will have Notice hereafter.

As the Garrison of Halifax will be greatly reduced by the sending away this Detachment, I transmit you orders for Lieu^t Colonel Pringle to send you a Company of the 59th Reg^t from Louisbourg, and likewise for the Officer Commanding at S^t John's Island, to send you a Company from Fort: Amherst. and you will take up a proper Number of Vessels to send to those Places to answer the Purpose of transporting them to Halifax.

I am, Sir,

P: S:

Your most obedient

You will please to send with humble Servant,
the Detachment, 12 Men of the Royal THO^s GAGE
Reg^t of Artillery, a proper Proportion of
Gunners & Matrosses.

T: G:

Lieu^t¹ Coninghame 29th Reg^t

MAJOR GENERAL GAGE TO LORD COLVILLE²

NEW YORK Sep^r 6th. 1765.

MY LORD,

You will hear from Gov^r Bernard the present distracted state of his Province; The Tumults, Riots and Robberies that have been committed in the City of Boston; the Threats of the Populace even to attack Castle William in Case the stamps are deposited there, and that the Governor can not

¹ First written "Lieu^t Col^o"

² "Bernard Papers," vol. x (Correspondence), p. 292. This is indexed as from General Thomas Gage to Governor Bernard, but it is to Lord Colville, as plainly shown by the superscription.

with Safety declare his thoughts upon the Expediency of applying to you or me for Assistance. The only timely aid that I can give him, is by detaching one Hundred Men from the Garrison of Halifax to throw themselves into Castle-William; the only Retreat the Governor can have should he be drove from his Capital, which is not at all unlikely; the Lieu^t Gov^t haveing been already very barbarously used, his House demolished, plundered and robbed of every thing in it. By this opportunity I send orders to Lieutenant Colonel Coningham to embark one Hundred Men, with as much Expedition, and Secrecy as to their Destination as possible; and if your Lordship should judge proper to embark them on Board any of the ships of War under your Command, with orders for them the ships, to remain in the Harbour of Boston; the Detachment may be thrown into Castle William, and every thing so secured, that the whole Force of the Province can not avail to do any hurt. What Situation they are in at present, I can't say, or what Turn Affairs may have taken since the late Lawless and Riotous Proceedings. But if Matters are in such a state, as to make it proper and expedient for His Majesty's service, that your Lordship and myself should act in the manner proposed to you, This Letter will be forwarded to you from Boston. The more secrecy and Dispatch there is used in this Business, the better it will be.

I have the honor to be with great Regard & Esteem,

My Lord,

Your Lordship's,

Most obedient,

and most humble Servant

THO^s GAGE

Right Hon^{ble} Lord Colville

GOVERNOR BERNARD TO MAJOR GENERAL GAGE¹BOSTON Sep^r 12. 1765S^r

The Concern you have shown for the peace of this Town by sending Cap^t Sheriff to enquire into the state of it deserves my best acknowledgements. At present there is a considerable alteration in the humours of the people; and tho as the cause of the late commotions is not removed, We may expect that it will some time or other produce Similar Effects; Yet as the Town at present is in a tolerable state of tranquillity, I am will to try the utmost to improve it to good purpose: and the more so, as I have appointed the Assembly to sit at this Town in a fortnights time, I am very desirous that it may by kept in quiet, untill that time. Indeed the Power & Authority of Government is really at an end: but I am willing to content my self with the form of it, in hopes that in time the peoples Eyes may be opened & their passions subside before the application of external force shall become necessary.

For this purpose I have consented to the earnest & unanimous desire that I'd countermand the orders for raising men to reinforce the garrison of the Castle: for which the following reasons have been given.

1 That the people appear to be very differently disposed now than they were when the raising the men was advised; there not appearing to be any intention to destroy the stamps or attack the castle at present, the dangerous consequences of such attempts being more apparent now. 2 That this Measure has created² great uneasiness in the people they being very Jealous of the introduction of new forces of any kind; and

¹ "Bernard Papers," vol. iv (Letter Book), p. 69.

² First written "occasioned," then changed to "created."

if this uneasiness should so increase as to be active, it might occasion more dangers to the Castle than the reinforcement would counterballance. 3. That as it is now known that the stamps probably will not arrive 'till the Assembly is sitting, it will be best to leave to them to provide for their security; otherwise they may take umbrage at seeing forces raised without their Authority for a Service which has not commenced at the time of their sitting; and thereby a dissention might be introduced to the General Court at a time when unanimity is most needfull. This last reason has great weight with me: for I desire nothing more than to charge the Assembly with the Defence of the Stamps; for then the province becomes formally answerable for them, and if the people should destroy them they must pay for them.

These reasons also conclude against the introducing regular troops at this time: to which may be added one other very Material. The introducing a single Company to the Castle would certainly be made use of to inflame the Assembly; & I am particularly desirous that they should be as cool as may be. I have no general dependence upon my being able to prevail upon the Assembly to counterwork the passions of the people. I am assured & I believe that I shall not. But I shall be glad to have fair play & a clear stage, that my endeavours for that purpose may be effectual as possible to do without, troops should not be sent here 'till there are sufficient numbers of them. A small force would irritate the people & not protect the Government. As I am now in all appearance safe in Boston, & I shall soon be able to charge the Assembly with the care of the stamps, I hope I shall be able to hold out, untill orders come from England, which probably will be accompanied with forces. For I cant think that so Violent an opposition to an act of parliament can fail of meeting with general resent-

ment there. For these reasons, I shall not at present forward the orders which you have favoured me with, but I shall write to Lord Colville by the tryal, & give him an account of the present state of the Town & my own situation, with advice of the letters you have favoured me with my reasons for not making use of them now.

I have been obliged by my engagements in making up dispatches for a ship which sailed for England yesterday to detain Cap^t Sherrif to this day, which I have less scrupled to do, as no particular expedition is required. As for the Castle he will give you some information of it & will inform you how you will receive a more particular Account.

I am, with great regard

His Excellency Maj^r General Gage / S^r your most obedient
 &c &c

CHARLES LOWNDES TO GOVERNOR BERNARD¹

SIR,

I am directed by the Lords Commissioners of His Majesty's Treasury to Signify to your Excellency their desire that you will give your Aid and Assistance to the Distributor of Stamps within your Government in whatever may relate to his Duty in the execution of his Office under the Act passed in the last Session of Parliament and that your Excellency would be particular in Seeing that the Chief Distributor do Appoint under Distributors in every proper Town and place within your Government and that each of the said under Distributors be well Supplied with Stamps for all Demands And that Your Excellency would be very attentive to the detection of any

¹ "Bernard Papers," vol. x (Correspondence), p. 300. Charles Lowndes was Joint Secretary of the Lords of the Treasury.

frauds which may arise in this Branch of His Majesty's Revenues And in case it shall have happen'd that any chief Distributor residing in your Governments hath not given Security for the due Execution of his Office That Your Excellency will take care that he do forthwith execute his Bond for the same which Bond when executed Your Excellency is desired to return to the Stamp Office. My Lords so much depend upon your Attention to the Public Service that they cannot doubt of Receiving Information from your Excellency in case any remissness in the Execution of the Office of the Chief Distributor within your Government or other Mismanagements or Abuses whatsoever shall Appear to you

Treasury Chambers,

I Am

Sept: 14: 1765.

your Excellency's most obedient
humble Servant.

CHA LOWNDES

Francis Bernard Esq^r: Governor of Massachusetts Bay.

GREY COOPER TO GOVERNOR BERNARD¹

SIR,

The Lords Commissioners of His Majesty's Treasury having read several Letters from M^r: Oliver, late Distributor of Stamps at Boston in Massachuset's Bay, giving an Account of great Outrages committed by the People of Boston, on the 14th: 15th: and 26th: of August last; and signifying that he had been obliged to resign His Office of Distributor of Stamps and Expressing His Apprehensions that the Stamp Paper would be in danger of being Seized by the Populace, upon the Arrival of the Ship, which carried it to Boston; are pleased

¹ "Bernard Papers," vol. x (Correspondence), p. 304. Grey Cooper was one of the Joint Secretaries of the Lords of the Treasury.

to direct Your Excellency to see that the Stamps be duly distributed until a Distributor be appointed by My Lords; and Their Lordships recommend it to you, and, by your Mediation, to the several Magistrates in your Excellency's Government, to exert yourselves with Spirit, and Firmness, in order to inforce a due obedience to the Laws, and to take care that His Majesty's Revenue suffers no Detriment or Diminution.

I am,

Treasury Chambers.

Oct^r : 8th 1765.

Your Excellency's

Most humble Servant,

GREY COOPER.

His Ex^{cy} Francis Bernard Gov^r of Massachusetts Bay.

H. S. CONWAY TO GOVERNOR BERNARD¹

St JAMES'S,² October 24th 1765.

SIR,

Your Letters of the 15th 16th 22^d & 31st of August have been received; the three former not till yesterday.

It is with the greatest Concern His Majesty learns the Disturbances, which have lately arisen in your Province; the general Confusion that seems to reign there; and the total Languor, and Want of Energy in your Government to exert itself with any Dignity or Efficacy for the Suppression of Tumults, which seem to strike at the very Being of all Author-

¹ "Bernard Papers," vol. x (Correspondence), p. 318. This letter is printed in Almon's *Prior Documents* (p. 40) and is very nearly like the manuscript; the few differences are noted. Belsham (*Memoirs of the Reign of George III*, ed. 1808, vol. ii, 421) gives the circular letter to the governors of the several provinces which is substantially the same as this to Governor Bernard. Conway was one of the Principal Secretaries of State.

² "St. James's" is omitted in *Prior Documents*.

ity and Subordination amongst You. His Majesty cannot but with the greatest Surprise hear of the Refusal of your council to call for the Aid of any regular Force to the Support of the Civil Magistracy, at a time when it seems You had Reason to think there was no other Power capable of providing for the Peace and Quiet of the Province. Nothing can certainly exceed the ill-advised and intemperate Conduct held by a Party in your Province, which can in no way contribute to the Removal of any real Grievance They might labour under, but may tend to obstruct and impede the Exertion of His Majesty's benevolent Attention to the Ease and Comfort, as well as the Welfare of all his People.

It is hoped, and expected, that this Want of Confidence in the Justice and Tenderness of the Mother Country, and this open Resistance to it's Authority, can only have found Place among the lower and more ignorant of the People; The better and wiser Part¹ of the Colonies will know, that Decency and Submission may prevail, not only to redress Grievances, but to obtain Grace and Favour; while the Outrage of a publick Violence can expect Nothing but Severity & Chastisement. These Sentiments You and all His Majesty's Servants, from a Sense of your Duty to, and Love of your Country, will endeavour to excite and encourage. You will all, in a particular manner, call upon them, not to render their case desperate. You will, in the the strongest Colours, represent to them the dreadful Consequences, that must inevitably attend the forcible and violent Resistance to Acts of the British Parliament, and the Scene of Misery and Distraction to both Countries, inseparable from such a Conduct.

If, by lenient & persuasive Methods, You can contribute to restore that Peace and Tranquility to the Provinces, on

¹ This reads "and more wise part" in *Prior Documents*.

which their Welfare and Happiness depend, You will do a most acceptable and essential Service to your Country: But, having taken every Step, which the utmost Prudence and Lenity can dictate, in Compassion to the Folly and Ignorance of some misguided People, You will not, on the other hand, fail to use your utmost Power for repelling all Acts of Outrage, and Violence, and to provide for the Maintenance of Peace and good order in the Province, by such a timely Exertion of Force, as the Occasion may require; for which Purpose You will make the proper Applications to General Gage, or Lord Colville, Commanders of His Majesty's Land & Naval Forces in America. For, however unwillingly His Majesty may consent to the Exertion of such Powers as may endanger the Safety of a single Subject, yet can He not permit his own Dignity, and the Authority of the British Legislature, to be trampled on by Force and Violence, and in avowed Contempt of all Order, Duty, and Decorum.

If the Subject is aggrieved, he knows in what manner legally and constitutionally to apply for Relief; but it is not suitable either to the Safety or Dignity of the British Empire, that any Individuals, under the Pretence of redressing Grievances, should presume to violate the Publick Peace.

I am,¹ with great Truth and Regard,

Sir,

Your most obedient

humble Servant

P. S.

H. S. CONWAY

The Sloop, which
carries this, will carry
Orders to Lord Colville,

¹ The rest omitted in *Prior Documents*, which reads "I am &c
H. S. Conway."

and to the Governor of
 Nova Scotia, to send to
 Your Assistance any Force,
 which may be thought necessary
 from thence, and which that
 Province can supply.
 The Favour of your Letter of the
 7th September is just received.¹
 Governor Bernard.

H. S. CONWAY TO GOVERNOR BERNARD²

Circular.

St JAMES'S March 1st 1766.

SIR,

I am very sorry not to be able as yet to give You any Instruction for the Rule of your Conduct in the perplexed Situation of Things in the Colonies; But the Parliament, to whose Wisdom His Majesty has been pleased to refer those affairs, not having come to any ultimate Decision thereon, I may not presume to give You any positive Direction: at the same time It is, I think, my Duty to inform You, — that a Bill is brought in, and has made some Progress in the House of Commons, for the Repeal of the Stamp Act; and that other Proceedings, relative to the mutual Rights of Great Britain and her Colonies, are also in consideration before Parliament. As soon as ever any Thing is ultimately determined by the Legislature, You may depend upon the speediest Information from me; and will not fail to receive therewith His Majesty's farther Instructions. In the mean time, The King relies on your Discretion to take the properest Measures, that the Circumstances of

¹ This last sentence is omitted in *Prior Documents*.

² "Bernard Papers," vol. x (Correspondence), p. 336.

the Times may require, for the Good of the Colony committed to your Care.

I am, with great Truth and Regard,

Sir,

Your most obedient

humble Servant

Governor of Massachuset's Bay./ H. S. CONWAY

GOVERNOR BERNARD TO ———¹

BOSTON July 3 1766

S^r:

The Important Concerns in which I am now employed² will not allow me to attend to the little altercations which you seem so desirous to engage me in. When I shall have some³ leisure I shall be Very glad for my own sake to write upon⁴ your subject not only on the present Case, but on the other ways & means⁵ which you have employed⁶ to embarrass my Administration. In the Mean time you may represent⁷ what you please against me if you do it with truth: for which purpose in the present case you will be much assisted by the Advice in writing which I gave to M^r Savage,⁸ which, no doubt he did,⁹ as he said he would, communicate to you.

¹ "Bernard Papers," vol. v (Letter Book), p. 181. This was probably written to John Temple, Surveyor of the Customs for the Northern District with whom Bernard was in open war.

² First written "engaged in," then changed to "attending to" and then to "employed."

³ First written "a little."

⁴ First written "glad to attend to your," then changed to "glad for my own sake to write upon your."

⁵ Followed by "with," then crossed out. ⁶ First written "endeavour'd."

⁷ Followed by "me as you," then changed to "what you please against me."

⁸ Followed by "I am so far from," then crossed out. ⁹ First written "has."

Whenever you shall think proper to order the officers of the Customs to act in the prosecution or dismissal of Goods seized by them¹ without or contrary to the Opinion of the Governor & the Advice of the Kings Advocate, I think they ought to have their orders in writing.

GOVERNOR BERNARD TO LORD BARRINGTON²

BOSTON Jan 28 1768.

MY LORD

I understand that it is a prevailing Opinion on your side of the Ocean that America, if let alone will come to herself & return to the same Sense of Duty & obedience to Great Britain which she professed before. But It seems to me that observing & considerate Men on this side the water expect no such thing. If indeed the Ill temper of the Americans had arose from accidental Causes, & exercised itself without meddling with fundamental principles, the Cause ceasing the effects might also cease; & the subject of complaint being removed, a perfect & durable conciliation might be restored.

But when the Dispute has been carried so far as to³ involve in it⁴ matters of the highest importance to the imperial Sovereignty, when it has produced questions which the Sovereign state cannot give up, & the dependent states insist upon as the terms of a reconciliation; when the imperial state has so far given way as to flatter the dependent states

¹ Followed by "contrary," then crossed out.

² "Bernard Papers," vol. xi (Correspondence), p. 127. This letter is printed in Bernard's *Select Letters on the Trade and Government of America* (London, 1774), p. 53. The letter as found in *Select Letters* is substantially like this second draft, but quite different from the first; see above, p. 131.

³ Followed by "take," then crossed off.

⁴ Followed by "question," then crossed off.

that their pretensions are admissible; Whatever terms of reconciliation Time Accident or Design may¹ produce, if they are² deficient in settling the true relation of³ great Britain to⁴ her Colonies, & ascertaining the bounds of the Sovereignty of the one & the dependency of the other, Conciliation will be no more than a Suspension of Animosity; the seeds of which will be left in the ground ready to start up again whenever there shall be a new occasion for the Americans to assert their independence of⁵ the Authority of parliament; that is whenever the parliament shall make ordinances which the Americans shall think not for their intrest to obey.

It was easy to be foreseen that the distinctions used in parliament in favour of the Americans would be adopted by them & received as fundamental laws. It would signify nothing by what numbers these distinctions were rejected: the respectableness of the Names of the promoters of them, & the apparent intrest of y^e Americans in maintaining them would outweigh all authority of Numbers for the contrary Opinion. It was also to be foreseen that the Americans would carry these distinctions much farther than the promoters could possibly intend they should be. But yet they⁶ never gave me any concern; because they carried their remedy with them: if they were hurtful to the constitution, they⁷ had an antidote at hand and like the antient Spear, if they wounded the Sovreign state they produced a rust to cure it. If the parliament cant tax the Americans

¹ First written "shall."

² First written "have."

³ First written "between."

⁴ First written "&."

⁵ At first "pretensions against," then changed to "independence of."

⁶ At first "these distinctions," then changed to "they."

⁷ At first followed by "carried their remedy with them," then changed to "had an antidote at hand and."

because they are not represented, it may allow them representatives, & the Authority is complet.

I have been used & allways¹ disposed to set an high² value upon the Wisdom of Statesmen perhaps sometimes higher than it may³ deserve; and I am still desirous rather to err on that side than the opposite. When⁴ the great Man of⁵ whose political Abilities I then had & still have the highest reverence, founded his⁶ impeachment of the power of parliament to tax the Americans upon the Want of American representatives, It appeared to me to be a stroke of refined policy. I considered this difficulty to be started, in order to enforce the necessity of allowing the Americans to send representatives to parliament. I considered not only the Advantages which would arise from such an ordinance for the present by removing all objections to the power of parliament; but also the benefit which must arise for the future by⁷ incorporating America with Great Britain in an Union which must more effectually prevent a Separation than can be provided⁸ by any other means. If this Objection had been pursued to this conclusion. The Author of it would have been deservedly esteemed the benefactor of both Countries. Without this conclusion It is not easy to See how⁹ this Contravention of the Authority of parliament can be of service to either.

Let us state the positions urged in parliament on the behalf

¹ At first "am still," then changed to "allways." ² At first "higher."

³ At first "they perhaps," then changed to "it may."

⁴ The text, beginning with this sentence and going through the paragraph, is printed in Mrs. Napier Higgins's *Bernards of Abington*, ii, 102. It is taken from *Select Letters* as it has the differences of that print. ⁵ First written "for."

⁶ At first "pronounced for the," then changed to "founded his."

⁷ At first followed by "an Union of the two," then changed to "incorporating Americans," and finally to "incorporating America."

⁸ Followed by "against," then crossed off.

⁹ At first followed by "it can produce any good."

of the Americans & the use which has been made of them in America, & see how far the chain of reasoning can be extended. It was said in parliament, that 1. The parliament has no right to tax the Americans, because the Americans have no representatives in parliament. 2. But they have a right to impose port duties or external taxes because such duties are for the regulation of trade. 3. The difference between an external and an internal tax is that the former is imposed for the regulation of trade & the latter for raising a Revenue. From these premisses the Americans have drawn the following conclusions. 1. Port duties imposed for raising a Revenue are internal Taxes. 2. Port duties of which the produce is to be paid into the Exchequer for the use of Government are imposed for raising a revenue. 3. The produce of all the port duties imposed upon America is ordered to be paid into the Exchequer for the use of Government. 4 All the Port Duties imposed upon America are internal Taxes. The only difference between the Port duties declared to be for raising a Revenue, & those of which no such declaration is made is that in one the Intention is explicit; in the other it is implied: they both come within the definition of internal taxes, & there are no taxes left for the distinction to operate upon.

This is not a fictitious Argument but a real one now urged & insisted upon as the terms of a good agreement between great Britain & her Colonies. For proof of which I refer your Lordship to the Farmer's Letters, in which you¹ will find the whole of this argument laid down either positively or consequentially. What then shall be done? shall the parliament make a new declarative Act? See! here are counter-declarations to the former Act. shall they take no notice of these American pretensions? they will then be confirmed

¹ At first "your Lordship," then changed to "you."

in the minds of the Americans & become really, what they are now proclaimed to be, a Bill of American rights. The right Way to get rid of these difficulties, which have arose out of the political dissensions at Westminster, is to allow the Americans to send representatives. This will be a full Answer to all their pretensions : it has been for some time past expedient ; it is now become necessary.

In one of the news-papers inclosed with this is a Speech said to have been spoke in the house of Lords, which has been reprinted from a London pamphlet. The whole Argument of this does not tend to show that the Americans ought not to be taxed, but that previously to their being taxed, they ought to be allowed to Send representatives. This has been extremely well received here, altho' the conclusion is for an American representation. If this was really a Speech of a Lord of that House, it might have been properly answered by admitting the conclusion and thereby avoiding a dispute about the premisses. If the Americans should be allowed representatives, it would become a Question merely Speculative, whether Representation is necessary to Taxation or not.

And yet the Americans in general do not desire a representation, tho' the publications on their behalf all tend to that conclusion ; and Some of them seem calculated to force the parliament into that measure as the only one which will satisfy them.¹ The truth is that tho' the Leaders of the People set out with a view of obtaining a representation & have never lost sight of it ; it has but lately occurred to the people in general that this may be a probable consequence of their denying the Authority of parliament. The former have had no objection to being representatives ; but the

¹ Followed by "pretensions," then crossed out.

people have not as yet seen their intrest in Sending them. It is from this disposition in the demagogues, as well as from the support they received in parliament turning upon the same question, that the Americans have founded all their Arguments against the Authority of parliament on their want of representatives in it; and a System for separating them from parliament is formed upon a proposition which it is in the power of the parliament at [blank space] pleasure to convert into the means of more closely uniting them with it. But the mutual intrest of the two Countries seems to be equally misunderstood on both sides of the Water.

I will illustrate this Account of the Ideas of the Americans by fresh facts. At the opening of the present Session of the Assembly of this province, a Member who had distinguished himself by carrying the objections to the Authority of parliament to their greatest length, now in a set speech retracted all his former Opinions, & said that he had fully informed himself of the relation between Great Britain & her Colonies, & was convinced that the power of parliament over her colonies was absolute, with this qualification, that they ought not to tax them untill they allowed them to send representatives; & that if the Colonies had representatives the power of parliament would be as perfect in America as it was in England. He then argued for an American Representation, & said it was now become a Measure necessary both to Great Britain & the Colonies, for the healing the breaches between them.

This surprised the House: but their Eyes began to open. A Member on the Side of Government charged the opposition with an intention to make an American Representation necessary by their denying the authority of Acts of parliament over them because they were not represented. The proofs he adduced & the equivocal Answers of the other

party left little doubt of this. Upon this an old Member (whose name & Character is well known in England) said that as they were determined to have representatives, He begg'd leave to recommend to them a Merchant who would undertake to carry their representatives to England for half what they would sell for when they arrived there.

It ¹ has been a serious Objection that American representatives would be subject to undue influence: but are not English representatives so? & is that an argument agst having parliaments? Another is that the Colonies would not be able to maintain them. Both these, which contradict each other, would be easily answered: but the most intresting Objection, which is not avowed & therefore cannot receive a formal Answer, is that an American Representation will take away all pretences for disputing the Ordinances of parliament. The Admission of American representatives into parliament, will allow of the continuing the provincial Assemblies for the purposes of domestic Œconomy; & therefore no Objections have been drawn from the cessation of the inferior legislatures; the supposition of which would create infinite difficulties.

Upon the whole, My Lord, if there was no Necessity for the appointment of American representatives (which I think there is & that very pressing) the Idea of it greatly enlarges my View of the Grandeur of the British Empire. And if there is any Danger of its falling to pieces, which surely cannot be too much guarded against, it seems to me that nothing could so effectually provide against so fatal an Event, as binding the Colonies to the Mother Country by an incorporating Union, & giving them a share in the Sovreign legislature. If this was done there could [be] no dispute about²

¹ First written "This." ² First written "of," and then changed to "about."

the rights & priviledges of Americans in contradistinction to those of Britons; and an Opposition by force to the Government of Great Britain would have but one name. And then We might expect a longer Duration to the entire British Empire than desponding politicians are willing to promise at the present time, & in its present state.

[not signed]

UNKNOWN TO UNKNOWN¹

I have been of no small service to Gov^r Bernard, his public speech, & some other matters that had the appearance of giving way to the populace had like to have done him great injury, & so much, when he would have recovered I do not know. I ~~did~~ not urge his tarrying at Boston, if a better place could be provided for him, but wish^d, by all means to continue him. It is doubted much his want of Spirit in conducting in these new measures. For God sake if he has a regard for himself let him take care how he errs too much on the side of the popular clamour, his ceeding to J Hancock & his answer to the town meeting was of no service to him. pray be as little communicative as possible about matters, send for Judge Auchmuty & advise with him in any case you have occasion. I know him to be a good Man let him know this ab^t the Gov^t but no body else. I know more than I dare say — dated 31 July 68

¹ "Bernard Papers," vol. xi (Correspondence), p. 253.

GOVERNOR BERNARD TO ————¹

Confidential

BOSTON Dec 23 1768

DEAR SIR

The Minds of Men in this Town and Country, are at present greatly agitated with the Expectation of what will be done at Westminster in Contravention of the late Proceedings at Boston. And those Persons who have Reason to expect a severe Censure from Great Britain do not appear to be so anxious for the Event, as the Friends and Well-wishers to the Authority of the Government and the real Wellfare of the Province are under the Apprehension that the Government of Great Britain may not take the full Advantage of what the late mad & wicked Proceedings of the Sons of ^{Faction}_{Liberty} have put in their Hands. They say that the late wild Attempt to create a Revolt & take the Government of this Province out of the Kings into their own Hands affords so fair an Opportunity for the Supreme Power to reform the Constitution of this subordinate Government, to dispell the Faction which has harrast this Province for 3 Years past, and to inflict a proper & not a severe Censure upon some of the Heads of it, that, if it is now neglected, they say it is not like soon perhaps ever to happen again. I hear so much of this from all the sensible Men I converse with, that tho' I had resolved not to write upon these delicate Subjects any further than my Answers to Letters should make it necessary, I cannot excuse myself giving you some

¹ "Bernard Papers," vol. vii (Letter Book), p. 239. There is no letter to Lord Barrington between Oct. 28, 1768, and Feb. 20, 1769; but, meanwhile, Governor Bernard wrote to some unknown person the above letter, which is so interesting in giving the situation at the moment that it is printed in full.

Hints of the reasonings used here upon this important and critical Occasion.

It is said that the Town-Meeting, the Convention & the Refusal of the Justices to billet the Soldiers, severally point out & justify the means whereby 1. the Disturbers of the Peace of the Government may be properly censured; 2, the Magistracy of the Town reformed; & 3 the Constitution of the Government amended: all of them most desirable Ends, & some of them quite necessary to the Restoration of the Kings Authority. I will consider these separately.

1 The Town-Meeting which appointed the Convention undoubtedly intended thereby to bring about a Revolt. Not only the frequent Declarations previous to that Meeting that they would resume the Government, but the very proceedings of the Meeting, as published by themselves plainly evidence that that was the Intention: the colouring flung over it is seen thro' by the dullest Eye. It is now known that the Plan was to seize the Governor & Lieut Gov^r, and take Possession of the Treasury and then set up their Standard. This was disappointed by the Failure of the Convention; the Members of which having Lands & Tenements to forfeit could not be so indifferent about the Consequences of such a Measure, as the Proposers of it who have little or Nothing to lose. But shall so open & notorious an Attempt to raise a Rebellion remain unpunished because it was unsuccessful? and if it should, would it not give encouragement to another Attempt which might have Success? Some Punishment is surely due; and it would be very gentle, if it should be what has been talked of here: that the principal Persons concerned in calling the Convention should be disqualified by Act of Parliament from setting in the Assembly or holding any Place of Office during his Majesty's Pleasure.

This would not only contribute greatly to restore Peace & Order to this Government, but by the Example, would tend to preserve them in other Governments. Happily the Persons concerned in this Business would form a complete List for such a Censure which would stand as follows.

Moderator of the Town Meeting. Ja^s Otis jun^r Esq^r

Select Men who signed the circular Letters	{ Joseph Jackson Esq ^r John Ruddock Esq John Hancock Esq ^r John Rowe Esq ^r Samuel Pemberton Esq ^r
Town Clerk who prepared & circulated the Letters	{ William Cooper Gent—
Speaker of the Convention.	Thomas Cushing Esq ^r
Clerk of the Convention	Samuel Adams Gent ^r —

The giving these Men a Check which would make them less capable of doing more Mischeif would really be salutary to themselves as well as advantageous to the Government.

2. The reforming the Magistracy of the Town, that is the Commission of the Peace would be of great Service at this Time. There is among them several of the Supporters of the Sons of Liberty; and the Refusal of several of them to carry into Execution the Act for quartering the Soldiers given under their own Hands, would justify a Removal of them from their Office. Perhaps it might be better to dissolve the whole Commission. But this cant be done by the King alone. for if he was to send an Order to the Governor to revoke the present Commission & appoint another, the Council in their present Humour would not obey it. Whereas as this Censure arises from the Contempt of an Act of Parlia-

ment, It would be most properly inflicted by the Parliament itself, which at the same Time it censures the Contempt of its Authority, makes a Precedent of the Exercise of it. If therefore an Act of Parliament was to pass reciting the Refusal of the Justices at Boston to quarter the Soldiers & therefore enacting that all Commissions of the Peace within the County of Suffolk in the Province of Mass^{ts} Bay should be determined on a certain Day, it would be doing no more than the King alone can do in any of his royal Governments, without assigning any Cause for it. This Act & an Instruction to the Governor concerning the new Appointments would be of great Service to the Restoration of the Government; Some are for carrying this remedial Measure to all the Commissions of all Kinds in the Government: & it may be wanted if there is no Alteration in the Appointment of the Council.

3. The last Point is of great Importance: The Amendment of the Form of the Government, particularly with Regard to the Appointment of the Council is a most desirable Object; and if one was to say quite necessary to the Restoration & firm Establishment of the Authority of the Crown it would not be saying too much. It may be therefore well wished that the Meeting of the Convention and the Council's separating from the Governor may be made subservient to the Purpose of amending the Government in a necessary Article. The Question will be whether the Meeting of the Convention & the Council's acting as a separate Body from the Governor amount to a Forfeiture of the Charter. As a Member of the Community I must doubt about it; but if I was a Stranger to it, I should have no Doubt at all: An Englishman would argue thus: If a Corporation shall usurp the Rights, which the King upon granting their Charter expressly reserved to himself they will thereby break the Conditions upon which

their Charter was granted and thereby incur a Forfeiture of it. Now in the Charter of Mass^{ts} Bay it is expressly ordered that the Governor shall have Authority to assemble & call together the Councillors or Assistants (who are appointed to advise & assist the Governor) & with them or any seven of them to hold a Council for the ordering & directing the Affairs of the Province; and the Governor is also empowered to convene the general Courts or Assemblies & from Time to Time to adjourn prorogue or dissolve the same. And there is no Power or Authority granted to any other Person or Persons whatsoever to assemble the Council or convene the general Court or Assembly but to the Governor or the Lieut Governor, except where there shall be no Person commissioned by the King to be Governor within the Province. If therefore the Council shall meet together as a Council without being assembled by the Governor; if the People in general shall choose Representatives to meet in Assembly, without the Authority of the Governor; and if such Representatives shall meet & do Business as in an Assembly even after they have been required by the Governor in the Kings Name to break up their Meeting & separate, it follows that there has been an Usurpation of the Rights reserved by the King to himself at the granting the Charter, by the People, in their Delegates (for so the Council by their Constitution may be properly called) in their Representatives, & in their aggregate Body; and that the Conditions, upon which the Charter was granted have been broken, & thereby a general Forfeiture of the Charter on the Part of the People, is incurred.

If this should be true, (and I know not how to confute it) It will surely be great Grace & Favor in the King if he shall be pleased to take no other Advantage of this Forfeiture than to correct the Errors of the first Formation of this Govern-

ment, & by placing the Appointment of the Council, where it ought to have been from the first, in the King, thereby render it more congenial with the Constitution of the Mother Country. It requires no Arguments to show that the inferior Governments of a free State should be as similar to that of the supreme State as can well be. And it is self-evident that the Excellency of the British Constitution consists in the equal Ballance of the regal and popular Powers. If so, where the royal Scale kicks the Beam & the People know their own superior Strength, the Authority of Government can never be steady & durable: it must either be perpetually distracted by Disputes with the Crown, or be quieted by giving up all real Power to the Demagogues of the People. Both these are greatly detrimental to the Community: the first obviously so; the second is no less apparent to those who have had occasion to observe in a Neighbouring Colony how subject a democratical Government is to Corruption Disorder & Despotism. It is therefore not to be wondered at, that the most sensible Men of this Province see how necessary it is for the Peace & Order of this Government that the royal Scale should have its own Constitutional Weights restored to it & thereby be made much more equi-libral with the popular one. How this is to be done, whether by the Parliament or the Kings Bench, or by both, is a Question for the Administration to determine; the Expediency of the Measure is out of Doubt; and if the late Proceedings of the Convention &c amount to a Forfeiture, a Reformation of the Constitution of the Government, if it is insisted upon, must & will be assented to.

I am S^r

Your most obedient

& most humble Servant

APPENDIX II

PETITION OF GOVERNOR BERNARD TO THE KING FOR AN INCREASE OF SALARY¹

To the Kings most Excellent Majesty in Council²

The humble petition³ of Francis Bernard Esq^r

Governor of his Majestys Province of

Massachusets Bay most humbly sheweth.

That your Majestys royal predecessors Queen Anne⁴ King George the first and King George the second did by their Instructions to the several Governors of the said Province order them to recommend to the Assemblies of the said Province from time to time that the said Assemblies should establish a fixed and honourable Salary for the Support of the Dignity of the Governor there {for which 1000 Pounds sterling was deemed a competent Sum} to be settled by Act of Assembly upon the Governor & his Successors, or at least upon the Governor during the whole Time of his Government. And the said Recommendation never having been complied with, Governor Belcher, who enter'd upon said Government in the Year 1730, obtained a relaxation of the said Instruction so far as to allow him to accept of the same Salary by Annual Acts only: in Consequence of which, after

¹ "Bernard Papers," vol. xii (Correspondence), p. 297.

² Then followed "To the right honourable the Earl of Shelburne his Majestys principal Secretary of State &c," but it was crossed off.

³ First written "Memorial," then changed to "humble petition."

⁴ First written "their late Majestys," then changed to "your Majestys royal predecessors Queen Ann."

many difficulties & Delays, the Assembly at length did grant unto the Governor 975 pounds sterling for one Years salary, which was then accepted for & as 1000 Pounds, & has ever since been continued to be granted to the Governor from time to time by Annual Acts only.

That at the Times of issuing the forementioned Instructions, wherein the said Sum of 1000 Pounds was declared to be a competent Salary, The Governor of Massachusetts Bay was also Governor of New Hampshire, from which Province he received a separate Salary besides Fees & Perquisites; it was also most probably presumed that the Fees and Perquisites of the Governor of Massachusetts Bay being an extensive & rich Province must amount to a very considerable Sum, which if they bore any Proportion to those of other Governments, would not have been less than a Moiety of the Salary. From which Considerations it was probably concluded that the Governors whole Income must amount to little less than double the Salary.¹

That Governor Shirly, who immediately succeeded Gov^r Belcher & was the first Governor appointed to Massachusetts Bay who had not also an Appointment to New-Hampshire, soon after his Appointment engaged in several Businesses of great Importance, in Consideration of which the Assembly granted him several considerable Sums of Money over and above the forementioned Salary. He also had the Command of a Regiment of regulars, which he enjoyed for the greater Part of the Time of his Government. He was also during Part of such Time appointed Commissary for settling the

¹ Then followed this sentence which was crossed off: "From which Considerations it was probably concluded that the Governors whole Income must amount to little less than double the Salary assigned by the forementioned Instructions."

Bounds of Acadia &c at Paris. He was also during other Part of such Time Commander in Cheif of his Majesty's Forces in America with a very large Establishment. By Means of all which Grants & Appointments over and above the ordinary Income of his Government. He never felt the Deficiency of his Salary as Governor nor had any Occasion to complain of the same.

That Governor Pownall the immediate Successor of Gov^r Shirley well understood how inadequate the Establishment of this Government was to the Importance and Dignity of it. But it being in the Time of War, when ev'ry Fund was charged with the utmost Weight it would bear, He found it so unseasonable to apply for an Addition to his Salary; that he chose to wait for Releif by a Dismission from his Post & an Appointment to a more beneficial one; which he soon obtained.

By these Means it is that it has fallen to the Lot of your Memorialist to represent the present State of the Establishment for the Support of the Governor of this Province; and to shew how inadequate it is to the Importance & Dignity of the Government. For this Purpose he begs Leave to shew that besides the Separation of the Government of New Hampshire from that of Massachusetts Bay, & the low Reduction of Governors fees, by fee bills & other Means, to almost Nothing, a contingent Profit arising from the Governors Share of Custom House Seizures (which tho' in itself uncertain, has been heretofore reckoned at £200 sterling com. Annis) has entirely ceased; there having been no Seizures made for some Time, nor none likely to be made. and indeed Profits of this Kind are of so invidious a Nature in this Place, that if they had continued or were like to be revived, the Memorst would be obliged to solicit an Equivalent for the Same in

Order that he might be discharged therefrom, & freed from the Censure occasioned thereby.

By these Means the Income of the Governor of the Massachusetts Bay is reduced to a very narrow Compass consisting only of two Articles, Salary 975 p^{ds} Office fees less than 100 p^{nds} to £1075. The Memorialist apprehends that he need not labour much to shew that 1075 pounds p^r Annum is not an honourable Support for a Governor of an extensive Populous & rich Province residing in one of the Cheif Capitals in America. He begs Leave to assert that his annual Expences have often exceeded that Sum, & cannot be kept within the Bounds of it, but by an Aconomy which must impair the Dignity of the Office. To put the inadequateness of this Appointment out of all Doubt, It may be sufficient to refer to the neighbouring Province of Nova Scotia, where it has been thought necessary to augment the Salary of the Governor to £1500 p^r an; Notwithstanding that Business & Difficulty of that Government bears no Proportion to that of Massachusetts Bay, and the Fees & Perquisites of the former greatly greatly exceed those of the latter.

The Memorialist begs Leave to submit the premises to your Lordships Consideration with this Obvious Reflexions arising therefrom; that as well the Precariousness & Dependency as the Incompetency of the Support of the Kings Governors tend very much to weaken the Authority of Government & expose it to Disregard & Opposition. This has been frequently observed in some of the royal Governments which are founded, as it were, in the Plenitude of the Kings Power. But it is much more observable in a Government, the Constitution of which has but one royal Ingredient in it (the appointment of the Governor) and all the rest of its Composition Democratical. In such a State the making the Governor

dependent upon the People & lowering him to the levell of them has Effects very hurtful to the Authority & Activity of Government, & such as at the present Time seem to require a speedy Redress.

Wherefore the Memorialist humbly prays that your Lordship will be pleased, at such Time as shall be proper, to lay the Contents of this Memorial or such Parts thereof as shall deserve Notice before his Majesty in hopes that he May be graciously pleased to take The same into his royal Consideration, & order such further Provision for the Support of his Governor of the said Province to be made, as in his great Wisdom the Maintenance of the Dignity & Authority of his said Government shall appear to require Wherefore¹ The Petitioner as well on the behalf of himself as of his Successors Governors of the said province most humbly prays your Majesty that you will² be graciously pleased to take the premisses into your royal Consideration, & make such order³ therein as to your Majesty in your great Wisdom shall be thought necessary for the Support of your Governor of Massachusetts Bay & the honour & Dignity of your said Government. And your Petitioner shall ever pray.

¹ These lines are on different paper and in different handwriting from the rest of the petition, but in the same handwriting as the corrections on the first page. Some one (perhaps Bernard himself) looked it over, made alterations on the first page and wrote the closing bit.

² First written "would."

³ First written "order some further provision to be Made for."

APPENDIX III

State of the Disorders,
Confusion & Mis-government
which have prevailed & do still
continue to prevail in His
Majesty's Province of
Massachusetts Bay in
America.¹

(Jan. 1774)

The King having thought fit to command that a state of the Disorders, Confusion and Misgovernment, which have of late prevailed in the Province of Massachusetts Bay, should be laid before His Privy Council, for their Advice to His Majesty thereupon, the Papers herein referred to are submitted, as containing all the Material Facts, which shew the distracted situation of that Province.

From these Papers it will appear, that, notwithstanding the Colonies in America, by the Nature and principles of the Constitution of this Kingdom, are, and have, by Law, been expressly declared to be, subordinate unto & dependent upon the Imperial Crown & Parliament of Great Britain, and

¹ "Bernard Papers," vol. viii (Letter Book), p. 182. This paper is in the handwriting of a copyist and not in that of Bernard or any of his ordinary scribes; but is most interesting as showing the situation in Massachusetts. It is given in the index under 1773; but on the first page of the manuscript in another ink and another handwriting—probably that of Jared Sparks—is the date (Jan. 1774).

that it hath also been Enacted & declared, that the Kings Majesty by and with the advice and consent of the Lords Spiritual & Temporal, and Commons of Great Britain in Parliament assembled, had, hath, and of Right ought to have, full power and Authority to make Laws of sufficient Force & Validity to bind the Colonies, and People of America in all cases whatsoever; — Yet nevertheless a variety of Illegal, Violent, & Unwarrantable Acts and Proceedings, tending to question & deny that Right and Authority, to subvert the Constitution, and to oppress the Subject, have been committed & done within the Province of Massachusetts Bay; and that the General Court in their Corporate Capacity have not only pursued no Measures, nor provided any means for suppressing the same, and for punishing the Offenders, as it was their Duty to have done; but that the Council Acting in their separate Capacity as a Board of Advice, have in all Cases where the Authority of the Supreme Legislature was in question, shewn a Backwardness to concur in such measures as were judged necessary for the preservation of the Public Peace, and that the House of Representatives have Countenanced & Encouraged such Violent and Illegal Acts, by adopting the same opinions and declaring the same Principles upon which they were grounded.

A Narrative of the Material Transactions in the Government of Massachusetts Bay, since the Repeal of the Stamp Act, will justify the above observation; and the Papers themselves, from which it is drawn, will support the Charge it contains.

Vide. Boston Gazette & Sir Francis Bernards Letters N^o's 21, 22, 23, 24 & 25, & 29.—

Appendix N^o 1.

Vide also, Paragraph marked X in Memoria of Comm^{rs} of the Customs of 28 March 1768, in Appendix N^o 2.

Vide Gov^r Bernards Letters, Memorials from the Comm^{rs} of the Customs, & other Papers transmitted to Lord Hillsborough's Office by the L^{ds} of the Treasury.

Appendix 2.

Vide Gov^r Bernards Letter of 10th Oct^r 1766. in Appendix N^o 2.

The Success which had attended Flgitious Publications in the Boston Newspapers, on the Subject of the Stamp Act, in exciting the popular Tumults which followed the promulgation of that Law, was too obvious to escape the Attention of those, who wished to see the same opposition given to the Subsequent Revenue Laws; and therefore when it became known that such Laws were proposed, or at least as soon as they were published and the concomitant Establishment of Commissioners of the Customs for America had taken place, *the Press again teemed with Publications of the most daring nature, denying the Authority of the Supreme Legislature and tending to excite the people to an Opposition to its Laws.*

The Effect of those Publications and the general Disposition of the People to adopt the Principles they held out, were apparent, not only in unwarrantable attempts to evade the payment of Duties imposed by Act of Parliament, but also in the Rescue by Force of Seizures made in Consequence thereof, and in the Grossest Ill-treatment of the Revenue Officers and of all those who gave their Countenance & Support, several instances of which, in the Years 1766, 1767, & 1768, will be *found in the Papers referred to*, in some of which instances, the Cases appear to have been attended with very aggravating circumstances of the most daring Insult & Violence.

Whilst the Spirit of Opposition to the Authority of Government & to the Laws of this Kingdom was confined to Libels in the Newspapers, and to Acts of Violence & Disorder Committed by Indi-

viduals, there was reason to hope that, by a due exertion of the Constitutional powers granted by the Charter, such Unwarrantable Proceedings might have been suppressed and the Authors brought to due punishment:— But it is represented that those cases, in which the Governor thought he could not Act without the advice of the Council, were not only *deliberated upon in a manner that apparently shewed they were not disposed to concur in any Measures that might be effectual for that purpose*; but that those persons from whom the remedy was to be expected were deeply infected with those Principles from the adoption of which these Disorders had arisen.

Upon the Election of the Council in May 1766, the Lieutenant Governor, the Secretary, the Judges of the Superior Court, and the Attorney General, all of which, except the Attorney General, are stated to have been usually elected Members of that Board, were excluded, apparently, as the Governor represents, for no other reason but to mark a disrespect to the Crown Officers; for the men them selves were of unexceptionable Characters; but no Argument of Justice to them, or Respect to Government, could prevail; on the contrary, the Lieut^t Governor was soon after excluded from being present at the Meetings of the Council, notwithstanding his Claim to such Privilege had both reason and usage to support it.

Vide Gov^t
Bernards
Letter to the
L^{ds} of Trade
7^h July 1776
& Letters
to L^d Shel-
burne with
their In-
closures
Nos 5 & 6.
Appendix
N^o 3.

In the Interval of the Adjournment of the General Court in 1766, a Transport with two Companies of Artillery was driven by distress of

Vide Sir
Francis
Bernards
Letter of
24: Dec^r
1776 [1766?]
Appendix
N^o 4.

Weather into the Port of Boston, and upon application made to the Gov^r by the Commanding Officer that these Companies might be quartered pursuant to the Act of Parliament, the Gov^r with the Advice of the Council, ordered the Commissary to furnish them with the Articles required by the said Act. When the Assembly met, this matter was moved in the House, and it appearing that the Act of Parliament above referred to had with some other Acts of Parliament been Printed by Order of the Gov^r & Council, a message was sent to the Council, desiring to be informed by what Authority the said Act or Acts had been so published, and whether they knew of any Act requiring the Registry of *Ordinances* which the Legislature there had not consented to. The Council having in Answer to this Message referred the House to the Governor for the Information they desired, the Answer was Voted to be not satisfactory and a Committee was Appointed to take the matter into consideration during the Recess.

Vide Journals of Council in Assembly of 8th Decem-ber 1766.

Vide Gov^r
Bernards
N^o 5 of 18:
Feb^ry 1767,
in Appendix
N^o 3, &
printed
Journals of
the Assembly
in Jan^ry
1767; Pages
229, 230, and
243.

Upon the Meeting of the Assembly on the 28th of January 1767, a Message was sent to the Governor, desiring to be informed whether any Provision had been made, at the Expence of that Government for the Kings Troops lately arrived in the Harbour of Boston. — In Answer to which the Governor sent them the Copy of the Minute of Council, by which Provision was made for the Artillery Companies, *pursuant to Act of Parliament*, and also an Account of the Expence that had been incurred. In reply to which they charged this

Measure upon the Governor as a Violation of the Charter, which was, they say, the more grievous to them, as it was justified upon the Authority of an Act of Parliament which was as great a Grievance as the Stamp Act, which took away the unalienable Right of Freedom from all Taxation, but such as they should Voluntarily consent to and Grant.

The next important matter taken up by the Assembly that manifested a Spirit of Opposition to the Authority of Parliament was that of the Circular Letter of the 11th of Feb^y 1768 to the other Colonies, inviting them to concur in Petitions for Redress in the Case of the Revenue Laws in which Letter they did at least draw into question, if not openly deny, the Authority of Parliament to enact Laws binding upon the Colonies in all cases whatever, asserting that the Acts imposing duties upon the people of that province with the Sole and express purpose of raising a Revenue were infringements of their natural and Constitutional Rights.

Vide Sir Francis Bernards Letter N^o 4 of 18 Feb^y 1768 & Incl. Appendix N^o 5.

The same Doctrine and Principles were also held forth in other Letters, wrote by Order of the Assembly at the same time, to such persons of Rank in this Kingdom as they conceived, concurred with them in opinion, and also in a Letter to their Agent, in which Letter a Variety of other Acts of Parliament and Measures of Government, founded thereon, are stated to be Grievous & oppressive & a Violation of their Charter Rights.

Vide Appendix to Printed Journals of the Assembly in 1767 and 1768 Page 3 Et sequentes.

The Publication of these Letters, which the

House ordered to be printed with their Journals, and the Attrocious Publications in the Newspapers, which continued without any control, could not fail of having a very Mischievous Effect.

Vide Sir F
Bernards
(N^o 8) of 19
March 1768
& Minutes of
Council, of
18th March
1768.

Appendix. 6.

On the 18th of March the Anniversary of the Repeal of the Stamp Act, some disorders were committed, & the Governor was induced, from many concurrent circumstances to suspect that further and greater Violences were intended; upon which he thought fit to ask the opinion of the Council, whether they would at that time Advise him to take any Measures for securing the peace of the Town and what those Measures should be: to which they replied that as they apprehended there was no danger of any Disturbance, they did not think any Measures necessary to be taken for that purpose. But upon the Governors laying before them a Letter from the Commissioners of the Customs, expressing their Apprehensions that Insults would be offered to them, and One of their Officers having made Oath before the Council of his having been threatened with Mischief they Adjourned the Consideration of what might be proper to be done to a later hour, when no disturbances being reported to them, they declared their adherence to their former Opinion; upon which the Governor thought fit to acquaint the Commissioners that he could give them no protection.

Vide Sir F
Bernards
Letter (N^o 9)
of 21st March
Appendix
N^o 7.

In the beginning of March 1768 Subscriptions were made and Associations entered into for the Non-Importation of Goods from Great Britain; — but this last Measure was at that time defeated,

by the Merchants in other Colonies refusing to concur in it.

The Exclusion of the Lieutenant Governor and other Officers of Government from the Council at the General Election in 1766 has already been mentioned. The same disrespect was shewn them in 1767, & repeated upon the Meeting of the General Court in 1768. And whilst the conduct of the Assembly was actuated by such Principles, and such a disposition, in which it is represented that the Council had upon many occasions manifested a strong inclination to concur; there was little room to hope that the disorders in the Government would abate. On the contrary it appears that in consequence of the Seizure of a Vessel in the Harbour of Boston for Running uncustomed Goods a Mob was assembled on the 10th of June; and that the Collector of the Customs the Comptroller, and other Officers & Persons who were Assisting in the said Seizure were Violently Assaulted by the said Mob, their Lives endangered, & the Houses of several of them Attacked & Attempted to be forced; and that this Riot was followed by Papers stuck upon Liberty Tree, containing an Invitation to the people to rise & clear the Country of the Commiss^{rs} and their Officers, one of which is said to have been devoted to Death.

On the 11th of June 1768 the Governor recommended the State of the Town, under these Violences, and Disorders to the Consideration of the Council who advised that such of the Members of the Board, who were Justices of the Peace, should

Vide. Sir F
Bernards
Letters of 30
May 1767
(N^o 15) and
of 30 May
1768 (N^o 4).
Appendix
N^o 8.

Vide Sir F
Bernards
Letter's (5.
6, & 7) 11th
14th and 16th
June 1768.
Appendix
N^o 9.

Vide also,
Papers received from
the Treasury
on the 22^d
July 1768.
Appendix
N^o 2.

Vide.
Journals of
the Council
on the 11th
& 13th June
1768.

make inquiry into the particular facts & Report the same to the Governor in Council, that so they might take proper Measures upon this interesting occasion. The Governor observes however in his Letter giving an Account of this Transaction, that there appeared a disposition in the Council to Meddle with it as little as possible.

On the 13th of June 1768 the Governor communicated to the Council a Letter from the Commissioners of the Customs, complaining that no notice had been taken of the late disturbances in the Town of Boston, whereby they were so immediately Affected. — Whereupon the Governor at the desire of the Board, wrote an Answer to the said Letter and informed them, that the Board being under no apprehensions of fresh disturbances, when they met last, they had postponed the consideration of the Business to that morning. — This being done, the Governor stated his apprehensions that there would be fresh disturbances & urged the consideration of Measures for the prevention thereof. But the Council thinking that there was no immediate danger of such disturbances advised that the matter should be referred to the Consideration of the General Court.

In consequence of this Resolution of the Council & upon the Governors acquainting the Commissioners that he could give them no protection & that Boston was no place of safety for them, they went on board His Majestys Ship Romney, & obtained an Order from the Governor for their admission into Castle William.

What is here stated with regard to the proceedings of the Council is taken from their Journals; but as many things are related by Gov^r Bernard to have passed at the Meeting on the 13th June 1768 which are not stated upon the Journals it may not be improper to refer to the Governor's Letter to Lord Hillsborough on that subject, dated the 14th June 1768.

Vide Letter
in Appendix
N^o 9.

In this Letter mention is made, that on the 13th of June, Notice was given, by a Paper fixed on a Tree, called Liberty Tree, for all those, who in this time of oppression & Distraction wished well to the Town & Province to assemble at that Tree upon the next day: and the Governor relates in another Letter dated 16th of June that in consequence of this notice, there was a tumultuous Meeting of the People at the said Tree, from which they Adjourned to the Town Hall, where it was objected they were not a legal Meeting; whereupon they adjourned to the Afternoon, that in the mean time the Select Men might call a Town Meeting to Equalize the Assembly.

Vide Letter
in Appendix
N^o 9.

In the Afternoon they met in a Meeting House, the Town Hall not being large enough for the Company & M^r Otis was chosen Moderator.

The Governor in his Letter to Lord Hillsborough giving an Account of this Transaction, relates that at this Meeting many Wild & Violent proposals were made, but were warded off. — Among these were, that every Captain of a Man of War that came into the Harbour, should be under the Command of the General Court; Another was,

that if any Person should promote or assist the bringing Troops there, he should be deemed a disturber of the peace and a Traitor to his Country. But nothing was done finally except the passing a Petition to the Governor and appointing a Committee of 21 Persons to present it to him, & also a Committee to prepare Instructions for their Representatives & a Letter to M^r De Berdt, as their Agent, after which they adjourned to the next day.

Vide Boston
Gazette of
20th of June
1768.
Appendix
N^o 10.

In the Petition & in the Instructions which in consequence were agreed upon & afterwards Published in the Boston Newspapers it is asserted as a fundamental principle of the Constitution that no Man shall be Governed by Laws nor Taxed but by himself or Representative legally & finally chosen; & to which he does not give his own consent; that Laws and Taxes are imposed upon them, to which they have not only, not given their Assent, but against which they have firmly remonstrated, as Violations of their Constitution, and as meant only to support Swarms of Officers & Pensioners in Idleness and Luxury. — They say that to contend with their Parent State is a dread full Extremity, but that they cannot bear the reflection of tamely submitting without one Struggle, and apprehend that it is in the option & Power of the Governor to prevent them effecting too much, and save them the Reproaches and Shame of attempting to little. That as the Board of Customs have thought fit, *of their own Motion*, to relinquish the Exercise of their Commission; and as they cannot but hope that being convinced of the Impropriety & Injus-

tice of such an Establishment and *of the inevitable Destruction which would ensue from the Exercise of that Office*, they will never re-assume it; they flatter them selves the Governor will redress the other Grievance, by immediately ordering the Romney Man of War to remove from the Harbour. — That they would maintain their Loyalty to the King, a Reverence & *due* Subordination to the British Parliament, as the Supreme Legislature *in all cases of necessity for the preservation of the whole Empire*; but at the same time to assert and vindicate their Dear and Invaluable Rights and Liberties at the utmost hazard of their Lives and Fortunes. — They then state the case of Impressing as a Grievance contrary to an Express Act of Parliament, desire their Representatives will pursue Measures for their Redress, and for preventing Impresses of all kinds, and to promote parliamentary Inquiry, whether the Commissioners of the Customs or any other persons whatever, have really written or Solicited for Troops, & to what end; and that they would forward, if they thought expedient, Resolutions that every such person who shall Solicit or promote the Importation of Troops at this time, is an Enemy to that Town & Province, & a Disturber of the Peace.

Whether Proceedings & Resolutions of this nature in a Town Meeting, *legal only to the purposes of Election of Officers, and the management of the prudential Affairs of the Town*, are, or are not criminal, or if criminal what is the Degree of the Guilt, must be submitted; but it is necessary to

Vide Printed
Laws of
Massachu-
sets Bay
Pages 18, 19.
20 —

Vide printed
Journals of
the Assembly
in 1768 —
Page 63 —
and Journals
of Council
and As-
sembly 18th
June 1768.

observe, that they were followed the next day by a concurrent Vote of the Council and Assembly, that Inquiry should be made into the Grounds and Reason for the present apprehensions of the People, that Measures have been, and are now taking, for the Execution of the late Revenue Acts of Parliament by a Naval and Military Force.

Vide
Journals of
the Council
on 22^d 27th
and 29th
July 1768.

In this situation the Disorders and Confusions which had prevailed in the Town of Boston remained unnoticed until the 22nd of July when the Governor moved the Council to take into consideration some Measures for restoring Vigour and Firmness to Government. Whereupon it was agreed to take up this consideration on the 27th and to summon such Members as were within such a Distance as to be able to give their Attendance.

At this Meeting the Governor recapitulated what had passed relative to the Riot on the 10th of June and desired the opinion of the Council what might be done to punish the Perpetrators of those Outrages, to preserve the peace of the Town, and to give such Protection to the Commissioners of the Customs, as that they might return in safety to Boston.

The Governor further stated, that the proposition, made at a former Meeting that this Business should be taken up by the General Court at large had produced no effect, and that all the Disorders complained of, & objects recommended to consideration, remained unredressed or unprovided for; that no Measure had been fallen upon to enable the Commissioners of the Customs to return in safety, to punish the Raisers & Perpetrators of

the Riots and Tumults, or to preserve the peace of the Town and to support the Authority of Government; that this neglect would certainly be taken notice of at home, and therefore he required them to give him their full, free and true advice, according to the Duties of their Office, and the Terms of their Oaths to perform the same; that he had received advice from Gen^l Gage, that the Troops at Halifax were ordered to be in readiness in case he (the Governor) should require their Assistance; in return to which he had informed the Gen^l that he would communicate this to the Council, and, if they advised him to require those Troops, he should do so; and if they should not advise him to require them, he should not, being determined in such a business to do nothing without the Advice of the Council; and therefore he desired their advice, whether he should according to Gen^l Gage's offer require Troops from Halifax to support the Execution of the Civil power.

On the 29th of July 1768 the Council made a reply to what had been laid before them by the Governor, in which they state that the Disorders, which happened on the 10th of June, arose from the Violent and unprecedented manner in which the Officers of the Customs had made Seizure of the Sloop Liberty. They reminded him of the Order that had been made on the 11th of June for the Justices to enquire into the Facts relative to the Riot that had been committed; they alledged that the matter as it stood, referred to a Committee of the General Court, included a consideration of

Measures necessary to be pursued for the prevention of the like Disturbances for the future; that the bringing that consideration to a Report and Issue was prevented by what passed in consequence of the Orders from Home, by which the Assembly was threatened with a Dissolution, and was finally defeated by the Prorogation, & Dissolution that followed in consequence thereof; that they are now ready, upon the first call since their Dissolution, to do every thing in their power to prevent future Disturbances, that with regard to the Commissioners of the Customs, their quitting the Town was a mere Voluntary Act of their own, no Insult having been offered to them nor any Attack upon their Persons or Houses; that the posting Men of War in the Harbour was an Imputation on the Loyalty of the Town and a Discouragement to its Trade; that if the Commissioners had procured those Ships, or had endeavoured to procure Troops to be sent thither, it could not be thought strange that the province entertained no affection for them; that they detested and abhorred the Riots and Disorders, which had been committed, and therefore advised the Governor to direct the Attorney General to prosecute all persons Guilty thereof, or that any ways aided or abetted the same, and to Issue a Proclamation for Preventing, suppressing, and punishing all Tumults and unlawful Assemblies; that, with regard to the Offer made by Gen^l Gage, they were of opinion the Civil Power did not need the support of Troops, and that it was not for His Majestys Service or

the Peace of the Province, that any Troops should be required; and that if any Persons have made application to Gen^l Gage for Troops, they deemed them in the highest degree unfriendly to the Peace and good order of the Government, as well as to His Majesty's Service & the British Interest in America.

The foregoing Account of what passed in Council on the 27th & 29th of July 1768 is taken from the Journal of their proceedings, but it is submitted whether it may not be adviseable on this occasion to refer to Journals them selves and to the Account given by Gov^r Bernard of these proceedings in his Letter to Lord Hillsborough of the 30th of July 1768, where many things are stated that do not appear upon the Journals, and many Remarks are made upon the manner in which the Council attempt to justify their conduct, in the case of the Riots and Disturbances in the Month of June 1768.

Vide Sir F
Bernards
Letter of
30th July
1768.
Appendix
N^o 11.

The General Court having been dissolved in August 1768, in consequence of the Assembly's Refusal to Rescind the Resolution that gave birth to the Circular Letter of the 11th of March it is necessary to state many Facts & Events of a very extraordinary nature subsequent thereto.

Notice has been already taken, in a former part of this Paper, of the attempt made in March 1768, to set on Foot Associations & subscriptions for not importing Goods from Great Britain, and of the causes of the failure of that attempt. — This unwarrantable Measure was however again tried with

Vide Sir F
Bernard's
Letter of 9th
Aug^t 1768
(N^o 17) and
Boston
Gazette of
8th Aug^t
1768.
Appendix
N^o 12.

better success in the beginning of August, when most of the Merchants of the Town of Boston entered into and subscribed an agreement, that they would not send for, or Import any kind of Goods or Merchandize from G: Britain some few Articles of necessity excepted from the 1st of Janry 1769, to the 1th of Janry 1770, and that they would not Import any Tea, Paper, Glass, or Painters Colours, until the Act imposing Duties on those Articles should be repealed.

Vide
Boston
Gazette of
5th September
1768. Paper
beginning
"Reader
attend"
Appendix
N^o 13.

On the 5th of Sept there appeared in the Boston Gazette a Paper containing certain queries, calculated to possess the People with an opinion that the Measures of Parliament with respect to America and those which Government had pursued for the support of them, were of such a nature, as that the Political Union between Great Britain & the Colonies was thereby Dissolved; and therefore that it was necessary, that a Convention should be held, in order to agree upon a plan for the Government of that Colony in particular.

Vide Gov^r
Bernards
Letter
(N^o 22) of
16th Sept^r
1768. —
Appendix
No 14.

The Governor alarmed at the Doctrine held out in this Paper & for the consequences which might follow therefrom, if the Troops which Gen^l Gage had informed him were by the Kings Command coming from Halifax, should arrive without the peoples having any Intimation of them, thought fit to give out, that he had private advice that such an Event might be expected.

In consequence of this Intelligence being made Public, several private Meetings (as the Governor states it) were held by the Inhabitants of Boston,

in one of which it was the general opinion that they should raise the Country and oppose the Troops; that it was reported & believed that a Resolution was come to in another Meeting to Surprize and take the Castle; and that an Empty Turpentine Barrel was put upon the Pole of a Beacon that had been lately erected without his Consent; that the Council, alarmed by these Reports and appearances, desired a Meeting might be summoned, which was accordingly done; at which Meeting Orders were given for taking down the Barrel fixed upon the Beacon.

On the 12th of Sept^r the Freeholders and other Inhabitants of the Town of Boston Assembled in Town Meeting at Fanueil Hall, and, after a Prayer upon the occasion by the Rev^d D^r Cooper, M^r Otis was unanimously chosen Moderator, and a Petition of the Inhabitants, praying that the Town might be legally convened, in Order to Inquire of the Governor the Grounds & Reasons of Sundry Declarations made by him, that Three Regiments might be daily expected there; and also to consider of the most wise, constitutional loyal and salutary Measures to be adopted on such an occasion, having been read, a Committee was appointed to make the Inquiry requested, and a Petition to the Governor was framed, praying him to Issue precepts for convening a General Assembly with all speed.

Vide
Boston
Gazette
of 19 September
1768.
Appendix
N^o 15.

At the same time a Committee was Appointed to take the state of Public Affairs into consideration, and Report the Measures they apprehend

the most salutary to be taken in the present Emergency.

On the next day to which the Meeting was adjourned the Committee Reported the following Declaration & Resolves.

Vide Boston Gazette of the 19th Septem^r 1768, N^o 703, at the Mark N^o 1.

This Report was unanimously accepted and Recorded, and the following Votes were also unanimously passed, after which the Meeting was dissolved Viz:

Vide as before N^{os} 2 and 3 —

The following is a Copy of the Circular Letter, written by the Select Men of Boston, and directed to the Select Men of the several Towns within that Province agreeable to the above Votes.

Vide as before N^o 4 —

The foregoing Account of the proceedings of the Town Meeting was printed by their directions in the Boston Gazette of the 19th of Sept^r; but as there are many circumstances relative to what passed at this Meeting related in Governor Bernards Letter to Lord Hillsborough of the 16th of that Month, which appear to be very Material for consideration, it may not be improper to refer to that Letter

Vide Sir F
Bernard's
Letter in
Appendix
14.

It may be proper here to repeat what has been before said in respect to the Proceedings of a former Town Meeting that is to say, that whether they are, or are not Criminal, or if so, what is the degree of Guilt, must be submitted; but it is also here as in the former case, necessary to observe, that no Steps whatever were taken to suppress so

extraordinary a Proceeding, nor does it appear to have been taken any Notice of by the Council, or by any of the Civil Magistrates in the Colony.

On the 22^d of Sept^r a number of Persons, upwards of 70. being Commēes from 66 Towns and Districts, assembled in Convention at Fanueil Hall to consult and advise the most effectual Measures, as might most effectually promote the peace and good order of His Majestys Subjects in that Governm^t at this very dark and distressing time.

The first step taken in this extraordinary Convention was the Chusing a Chairman and Clerk, and the objects of this choice were the late Speaker and the Clerk of the Assembly, after which they agreed upon a Petition to the Governor, praying that he would summon the Constitutional Assembly of the Province in order to consider of Measures for preventing an unconstitutional Encroachment of Military power on the Civil Establishment, for promoting the Prosperity of the Kings Governor, and the peace, good order, & due Submission of His Majestys Subjects.

The Governor however thought fit to refuse the receiving this Petition, assigning for reason that such a reception would be to admit this Convention to a legal Assembly, which he could by no means allow, and therefore admonished them, by Message, to break up instantly and separate themselves before they did any business in order to avoid the consequences of the High Offence they were Committing.

In answer to this Message they endeavour to

justify themselves by stating the grounds on which they Assembled, and by openly disclaiming all pretence to any Authoritative or Governmental Acts; but the Governor refused to receive any Paper from them, and, after having sate for three days, they adjourned to the 3^d of October when they broke up, finishing their Proceedings with the Publication of a Paper which they stiled, the result of the Conference and Consultation of the Committee's, chosen by a number of Towns and Districts, and convened at Boston on the 22^d of Sept^r 1768.

On the 19th of Sept^r the Governor communicated to the Council the Letters which he had received from Gen^l Gage & the Earl of Hillsborough informing him of the Orders that had been given for sending to Boston two Regiments from Halifax & two from Ireland and moved the board to give him their Advice in what manner provision should be made for their Reception and Accommodation.

As the Answer given to the Governor by the Council on this occasion and what passed in consequence thereof, as well as upon the Arrival of the Troops, in respect to the quartering of them in the Town of Boston are very material in the Consideration of the State of the Government of Massachusetts Bay and to the Conduct of the Council as a Board of advice & Consultation, and as the subject matter of these transactions cannot be related abstractedly, without a hazard of Misleading, it is submitted whether it may not be most adviseable to refer not only to the Journals

of the Council, but also to the Governors Letters to the Sec^y of State upon the Subject, from which will appear the many difficulties that were created to obstruct the Kings Service on this occasion, the pretences that were used to evade and defeat the operation of the Act of Parliament for Quartering His Majestys Troops in America, and to bring reproach upon, and excite Opposition to the Measures His Majesty had been graciously pleased to pursue for supporting the Civil Magistrates, and enabling them to execute the Law.

It was not however in this business alone that the Council are said to have obstructed the Measures of Government; they are stated by Governor Bernard to have shewn upon every other occasion where they were consulted by him upon matters relative to the State of the Colony, in cases where the Authority of Parliament was in Question, a Resolution to persevere in a conduct that could have no other effect than to increase the Disorders and ill-humours that prevailed and to defeat every step that could be taken for restoring peace and good order in the Town of Boston. — It would be drawing out this paper to too great a length to enumerate all the instances of this disposition which are stated: they are fully set forth in the Governors Letters to the Secretary of State; and it is to this disposition in the Council that he attributes that Weakness in the Government, which rendered ineffectual every Measure that had been directed or proposed for remedying the disorders which had so long existed in that Prov-

ince, and for supporting His Majesty's Authority, and that of the supreme Legislature.

There is one Fact however stated in the Account of the Transactions of this time, which is too material to be passed over in the Consideration of the State of the Province as it relates to the Conduct of the Council, which is, the pretence they set up, of acting as a Council of State without the intervention of, & separate from, the Governor, and their presuming to Publish, the Minutes of their proceedings, and their Resolutions before they were communicated to him.

Vide Councils
Letters
Appendix
N^o 18.

It must however be observed that the Council in three Letters to Lord Hillsborough two of the 15 of April & one of the 12th of June 1769, thought fit to give an explanatory detail of their Conduct in the cases in which they are charged by the Governor with neglect of Duty and want of zeal for the support of Government, to which Letter it may be here proper to refer. — But whatever was the cause to which the Weakness of Government in that Province is to be attributed, the Fact is, that all the unwarrantable proceedings stated in the foregoing Sheets, were committed and done with intire impunity, and though repeated Orders were given to the Governor to pursue every measure for bringing the Offenders to Justice and for making Inquiry into the Grounds and Causes of the Disorders and Distractions, and every support given that was required to enable the Officers of the Crown and the Civil Magistrates to perform their Duty; Yet these Orders had no effect, &

therefore it was thought fit, in the beginning of the Year 1769 to Submit the State of the Colony to the consideration of Parliament.

The result of this Measure will appear in the joint Resolutions of both Houses of Parliament and their Address to the King in February 1769.

Vide Resolutions & Addresses of both Houses of Parliament in Feb'y. 1769—

The just censure of the proceedings in the province of Massachusetts Bay & of the Conduct of the Council and other Civil Magistrates expressed by both Houses of Parliament in their Resolutions; and their Approbation of the Measure of sending Troops thither to support and protect the Magistrates and the Officers of the Revenue were very far from producing the good Effect that might reasonably have been hoped for; a Disposition to deny the Authority and resist the Laws of the supreme Legislature continued still to prevail, not only in flagitious publications in the daily Newspapers, but also in a Variety of Violent and unwarrantable Resolutions & proceedings of those Merchants and others who had subscribed to the Agreements for Non Importation of Goods from Great Britain.

Meetings of the Associators were held in as regular a manner as any other Meeting Authorized by the Constitution. — Committees were appointed to Examine the Cargoes of all Vessels arriving from Great Britain, and regular Votes & Resolutions of Censure were passed in these Meetings upon all such as refused to concur in these unlawful Associations; and their Names were pub-

Vide—
Printed
Account of
the Associ-
ations, and
their pro-
ceedings in
consequence
thereof
from Page
1 to Page 24.
Appendix
Nº 19.

lished in the Public Newspapers as Enemies to their Country.

In some cases Goods imported from Great Britain were locked up in Warehouses under the care of these Committees in Order to prevent their being Sold; and, in One or two instances they were re-Shipped to Great Britain.

It is not necessary to relate all the unwarrantable and violent proceedings of these Associators; the nature and Effect of them can only be judged of by reading the proceedings themselves which are here referred to.

Vide Sir F
Bernards
Letters N^{os}
11 and 12.
Printed
Journals of
the Assembly
Papers 5. 6.
7. 8. 18. 19.
26. 56. 57. 58.
59. 60. 68. 77.
80. 81. 82~
Appendix
N^o 20.

On the 31st of May 1769 the General Court met at the Court House at Boston pursuant to His Majestys Writs, and the first step the Assembly took, before they proceeded on any other Business was to send a Message to the Gov^r asserting that the having Ships in the Harbour and Troops in the Town of Boston was inconsistent with their Dignity and Freedom & therefore that they had a right to expect that he would give Orders for the removal of the Forces by Sea and Land from that Port, & from the Gates of the City during the Session of the Assembly; & at the same time the House came to several Resolutions to the same Effect as the Declarations contained in their Message to the Governor.

The Governor having in reply to their Message, acquainted them that he had no Authority over His Majesty's Ships in that Port, or His Troops in that Town, nor could give any Orders for the Removal of them; they then proceeded to the

Election of Councillors in which Election not only the Lieutenant Governor & other Officers of Government were excluded, but also several other Gentlemen who had been of the former Council; & who, the Governor represents, had shewn a disposition to support the Kings Government, to acknowledge the Authority of Parliament and to preserve the people from Democratical despotism, and were otherwise distinguished by their Integrity and Ability.

On the 13th of June the Assembly sent an Answer to the Governors Message of the 31st of May, in which he told them he had no Authority over the Kings Ships or Troops.

In this Answer they assert that by the principles of the Constitution the Governor of that Colony has the absolute Military Command, that the sending a Military Force there to enforce the Execution of the Laws is inconsistent with the nature of Government & the Spirit of a free Constitution; that the unwillingness of a people in general that a Law should be Executed was a strong presumption of its being an unjust Law, that it could not be their Law, as the people must consent to Laws before they can be obliged in conscience to obey them.

Several other Messages passed between the Gov^r and Assembly upon the Subject of the Troops, but they are little more than a repetition of the matter that has been already stated, and the altercation ended on the 21st of June with a Resolution of the Assembly, "That the British Con-

“stitution admits of no Military Force within the
“Realm, but for the purposes of Offensive & de-
“fensive War; and therefore that the sending and
“continuing a Military Force within this Colony,
“for the express purpose of Aiding & assisting the
“Civil Government, is an Infraction of the Natural
“and Constitutional Rights of the People, a breach
“of the Privilege of the General Assembly, incon-
“sistent with that freedom with which this House,
“as one branch of the same hath a right and ought
“to debate, consult and determine; and Mani-
“festly tends to the subversion of that happy form
“of Government which we have hitherto Enjoyed.”

Whilst the General Court was sitting Intelligence was received of the Resolutions of Parliament respecting the Disorders within the province of Massachusetts Bay; and Authenticated Copies of such of the Correspondence with the Governor as had been laid before Parliament, had been transmitted from hence; upon which the Assembly did on the 7th of July come to several Resolutions, asserting that the Sole right of Imposing Taxes upon the Inhabitants of that Colony was legally and Constitutionally vested in the House of Representatives lawfully convened according to the Antient and Established practice, with the Consent of the Council and of His Majesty the King of Great Britain or of His Governor for the time being; that the Convention in Septem^r 1768 was a measure of necessity, nor could it possibly be illegal, as they positively disclaimed all Governmental Acts; that the Establishment of a stand-

ing Army in that Colony in time of Peace, without the consent of the General Assembly, was an Infringement upon the Natural Rights of the People, and a violation of their Charter; that the sending of an Armed Force, into the Colony, under pretence of Assisting the Civil Authority, was an attempt to Establish such a standing Army without their consent and was highly dangerous, unprecedented, and unconstitutional; that too many Persons in Power at home do avow most rancorous Enmity against the Free part of the British Constitution, and are indefatigable in their endeavours to render the Monarchy Absolute, & the Administration Arbitrary in every part of the British Empire; that the Extension of the power of the Courts of Admiralty was highly dangerous & Alarming; that all Trials for Treason Misprision of Treason or for any Felony or Crime whatsoever committed or done in that Colony, ought of right to be had and conducted within the Courts of that Colony; and that the seizing any Person or Persons residing in this Colony, suspected of any Crime whatsoever committed therein, and sending such Person or Persons to places beyond the Sea, to be Tried, is highly derogatory to the Rights of British Subjects, as thereby the inestimable Privilege of being Tried by a Jury from the Vicinage as well as the liberty of summoning & producing Witnesses on such Trial will be taken away from the Party accused.

These are some of the principal Declarations contained in the Resolves of the Assembly; but

they do also contain a variety of other Assertions of a very dangerous and Malignant nature, tending to inflame the minds of the People against the Kings Government, and against the Governor and Commander in Chief; and Sir Francis Bernard having in repeated Messages to them to make Provision for the Expences that had been incurred in Quartering the Kings Troops, the Sessions ended with an Answer to these Messages, in which they arraign in the Strongest terms, the Justice of the Supreme Legislature in passing the Revenue Laws, and more especially that for Quartering the Kings Troops, and declare their Resolution never to make Provision for the Services pointed out in the Governors Messages.

The General Court having, in consequence of these Proceedings, been prorogued by the Governor to the 10th of January nothing of any great moment occurred in the Colony, excepting a Continuance of very Violent and unwarrantable Measures for Supporting the Associations for non-Importation of Goods from Great Britain, until the unhappy quarrel between the Towns people of Boston and the Soldiery on the 5th of March; from the Accounts of which, as well as from the frequent attacks that had, at different times been made upon the Troops, there is much reason to apprehend, that there was a premeditated design to seek occasion, by such quarrels of forcing the Regiment to leave the Town.

Vide Lieut^t
Gov^t Hutchinson's,
Col^l Dalrymple and
Gen^l Gage's
Letters —
Appendix
N^o 21.

Since this Event every endeavour has been exerted by the People of Boston to accelerate the

Trial of Captⁿ Preston and the Soldiers who Surrendered them selves up to Justice, and to involve the Commissioners of the Customs and their Officers in the guilt of aiding and abetting the Soldiers in (what is called) the Massacre of the People. — And tho' the Courts of Justice have endeavoured to withstand the attempts that have been made to influence their proceedings, yet, there are but too many symptoms of their being awed & terrified by the Violences of the people.

It must however be observed that tho' the firmness of the Lieutenant Governor, in Negating in one or two instances, the Election of Persons who have been most forward in opposition to the Authority of the Parliament; has in some degree checked the dangerous spirit which prevailed, yet he represents that he has only the Shadow of Power without the Council whose Advice or Consent he has never been able to obtain to any proposal he has made for discountenancing the usurpation of the powers of Government by the Town of Boston; and the People being now possessed with an opinion that they have many Advocates in Parliament who justify them in all they have done the State of the Colony is more desperate than Ever.

But this will be better explained by the Instructions from the Town of Boston to their Representatives on the 15th of last Month, and by the Messages from the Assembly to the Lieutenant Governor, and his Answers thereto —

Vide
Appendix
N^o 22 —

APPENDIX IV

NARRATIVE¹

The Advices received from Boston, in Letters from Gov^r Hutchinson, Admiral Montagu, and the Commandant of the Kings Troops at Castle William, and the Information taken here of Cap^t Scott, lately arrived from thence, contain the following Facts — Viz [†]—

1st

That, in the night between the 1st & 2^d of November, anonymous Letters were delivered at the Houses of the Persons Commissioned by the East India Company, for the Sale of Teas sent on their own Account to Boston, requiring them to appear next day at noon at Liberty Tree to make a Public Resignation of their Commission, and Printed notices were posted up in several parts of the Town of Boston desiring the Freemen to meet at Liberty Tree in order to receive such Resignation, and to oblige said Agents to swear they would reship any such Tea to London.

2^{dly}

That on the 2^d of November, the *Select Men of Boston, the Town Clerk and three or four Members of the House of Representatives*, — accompanied by a number of Inhabitants, assembled at Liberty

¹ “Bernard Papers,” vol. viii (Letter Book) p. 229. This “Narrative” is in the same handwriting as the “State of the Disorders.” It bears in pencil the date 1773.

Tree for the purposes aforementioned, and that soon after M^r *Molineux*, attended by a number of other persons, calling themselves a Committee of the said Meeting, consisting among others of M^r Denny, D^r Warren, D^r Church, and M^r Johanat, repaired to the House of M^r Clark, one of the said Agents and being asked by M^r Clark what they expected of him, M^r Molineux read a paper, in which, among other things, it was demanded that the persons, to whom it was expected the Tea would be consigned, would engage not to receive it, but that it should be sent back to England, and that one of the Bills of Lading should be delivered to them that they might send it to their Agent in London.

That upon M^r Clarke and the other Agents who were present declaring they would not comply with this Demand, M^r Molineux declared that they either were or would be voted Enemies to their Country and must expect to be treated as such.

That after this the Committee with the Mob that attended them retired, and soon after returned, assaulted M^r Clarke's House, the Doors of which were Shut from an apprehension of Violence, and having forced open the Doors attempted to make their way up Stairs, but meeting with Resistance they desisted.

That during the proceedings a M^r Hatch a Gentleman in the Commission of the Peace, required the Mob to disperse; but they hooted at him, and one of them having Struck him a blow, he retired.

3^{dly}4^{thly}5^{thly}

6thly That on the 5th of Nov^r a Town Meeting was held at Faneuil Hall, at which it was voted that the Hon^{ble} John Hancock Esq^{re} M^r John Pitt, M^r Samuel Adams, M^r Samuel Abbot, D^r Joseph Warren, M^r William Powell, and M^r Nathaniel Appleton, should be a Committee to wait on the Agents of the East India Company, and to request them from a regard to their own Character, and the Peace & good Order of the Town and Province, immediately to resign their Appointment, with this request the Agents refused to comply and signified their refusal in Letters to the Hon^{ble} John Hancock who was Moderator of the Town Meeting.

7th That on the 12th of Nov^r Information was given to M^r Oliver the Lieut^t Governor, that an Attack would be made that Evening upon some of the Agents; Intimation of this being given to them they left their Houses, but no such attack was made.

8th That on the 17th in the Evening a Mob of between one and two hundred people, beset the House of M^r Hutchinson one of the said Agents, but finding that he was not at home, they went to the House of M^r Clarke, another of the said Agents, which they Attacked, and endeavoured to break open the Door, but meeting with resistance they contented themselves with breaking the Glass and Frame of the Window, and then dispersed.

9 That in consequence of the disturbance before mentioned, the Governor Assembled his Council, and laid before them the necessity of some Measures being taken for preserving the Peace, and supporting the Authority of Government.

That during their deliberations a Petition was ^{10th} delivered from the Agents stating the Insults they had received, and the danger to which they were exposed; and praying that they might be at liberty to resign themselves, and the Property committed to their care, to the Governor and Council, as the Guardians and Protectors of the People, but the Council broke up without coming to any Resolution.

That on the 23^d of Nov^r the Council met again ^{11th} without doing any thing but referring the Business to a further consideration on the 29th when they took into consideration a Report made by a Committee in which it is stated that the proceedings of Parliament had given just ground of discontent to the People, and those proceedings are assigned as the cause of the present Disturbances. — The Agents are referred to the Justices of the Peace for the protection they desire, and it is declared that the Council had no Authority to take charge of the Tea, and *that should they direct or advise any measure for Landing it, they would of course advise to a Measure for procuring Payment of the Duty, which being inconsistent with the declared Sentiments* of both Houses in the last Winter Sessions of the General Court, they apprehend to be altogether inexpedient and improper. — That with regard to the disturbances the Authors of them ought to be prosecuted, and they advise that the Governor should renew his Orders to the Justices, Sheriff and other Peace Officers, to exert them selves to the utmost for the Security of the

Kings Subjects the preservation of Peace & good Order, and for preventing all Offences against the Laws.

12. That this Report was accordingly agreed to, whereupon the Governor demanded of the Council, whether they would not give him any Advice upon the Disorders then prevailing in the Town of Boston, and it was answered in general, That the Advice already given was intended for that purpose.
13. That on, or about the 26th of November the Ship Dartmouth Captⁿ Hall, arrived at Boston, having on board a Cargo of Tea consigned by the East India Company to their Agents there; in consequence of which Notifications were posted up, desiring the Inhabitants of the Town and Country to Assemble on the 29th —
14. That on the 29th the Inhabitants of the said Town & Country in number about five Thousand were accordingly Assembled; whereupon the Governor, (the Council having declined advising to any Measure respecting that unlawful Assembly in particular) Ordered the Sheriff to repair to the said Meeting with a Proclamation, Warning, Exhorting, and Requiring them forthwith to disperse, and to cease all further unlawful Proceedings.
15. That the Sheriff having been permitted to read this Proclamation, a Question was moved and put, Whether the Assembly should be dispersed in Consequence thereof; and it was unanimously Resolved that they should not.
16. That Jonathan Williams Esq^{re} was chosen Moderator at this Meeting, and that the said

Meeting came to the following Resolutions; amongst others Viz^t That they were absolutely determined that the Tea arrived in Captⁿ Hall, should be returned to the place from whence it came at all Events, in the same Ship. — That no Duty should be paid upon it, and that the Owner of the Ship be directed not to Enter the Tea at his Peril. That the Master of the Ship be informed, that he is not at his peril to suffer any of the Tea to be Landed. That a Military Watch should be Appointed for the Security of the Ship and Cargo, of which watch M^r Proctor was appointed Captain, and a List made of the names of the Persons who offered themselves as Volunteers for that purpose.

That the Conduct of the Governor in requiring the Justices of the Peace to meet, in order to suppress any Riot was a reflection on that Assembly and solely calculated to serve the Views of Administration.

That on Tuesday the 30 of November the Inhabitants were again Assembled, when a Letter from the Agents was read, declaring their Willingness to give satisfaction to the Town but as that could only be effected by sending back the Tea, they declared that it was not in their power so to do but that they were willing to Store the Tea until they could write to their Constituents and receive further Orders.

That upon reading this Letter it was moved whether if any of the Agents could be prevailed upon to come to the Meeting their persons might be safe until their Return to the place from whence

they should come? — which question having been put it was carried in the Affirmative unanimously and that two Hours should be allowed them, whereupon the Meeting adjourned to the Afternoon.

17. That upon their Meeting in the Afternoon Report was made that the Agents thinking that nothing would be satisfactory, short of returning the Tea, which was out of their power, they thought it best not to appear, which Report having been voted to be in no degree satisfactory, an Order was made that the Owner & Master of the Ship Dartmouth should attend & it was again unanimously resolved that it should be required of them, that the Tea should be returned to England in the Bottom in which it came, and Capt: Hall was forbid to Assist in Unloading the Tea at his peril, and ordered that if he continued Master of the Vessel, he should carry the same back to London.

That after taking Measures for a Continuance of the Military Watch resolved to be Established on the preceding day, & directing that if they were insulted they should give alarm to the Inhabitants by ringing or tolling the Bells as the case should happen, it was resolved that if any person or persons shall here after Import Tea from Great Britain or if any Master or Masters of any Vessel or Vessels in Great Britain shall take the same on board to be Imported to this place until the unrighteous Act of Parliament laying a Duty upon it should be repealed, he or they should be deemed by this Body an Enemy to his Country and they would prevent the Landing and Sale of the same,

and the payment of the Duty thereon and would effect the Return thereof to the place from whence they should come.

That it was further resolved at this Meeting ^{19.} that the foregoing Vote should be printed and sent to England, and all the Sea ports of the Province.

That M^r Sam^l Adams, the Hon^{ble} John Hancock Esq^{re}, Will^m Philips Esq^{re} John Rowe Esq, Jonathan Williams Esq^{re} be a Committee to transmit fair Copies of the whole proceedings of the Meeting to New York and Philadelphia.

That it is the Determination of the Body to carry their Votes and Resolutions into Execution at the risk of their Lives and Fortunes.

That the Persons who principally proposed the questions on which the above Resolutions and proceedings were founded, were, M^r Adam's, M^r Molineux, Doctor Young & Doctor Warren, & that they used many Arguments to induce the People to concur in these Resolutions.

That after the Dissolution of this unlawful ^{20.} Assembly the Persons called the *Committee of Correspondence*; met from time to time called in the Committee's of other Towns to join with them, kept up a Military Watch on Guard, to prevent the Landing of the Tea, who were Armed with Muskets and Bayonets, and every half hour during the night, regularly passed the Word — *all is well*, like Centinels in a Garrison.

That M^r Hancock the Gov^{rs}. Captⁿ of his Cadet ^{21.} Company was one of the Guard on Board the Ships.

That the said Committee appeared to be the ^{22.}

Executioners of the Resolves & Orders passed at the aforesaid Assembly.

23. That this Committee repeatedly sent for the Owner of the Ship Dartmouth requiring him to comply with the request of the Town and send his Ship with the Tea back to England — In excuse for his Refusal he said that he could not obtain a Clearance from the Custom House, whereupon Notifications were again posted upon the 14th of Decem^r for another Meeting of the Inhabitants which was accordingly held in the Afternoon.
24. That at this Meeting it was determined that the Owner of the Ship Dartmouth should demand at the Custom House a Clearance of the Teas for England, which was accordingly done in the presence of twelve Persons appointed to see it done.
25. That upon the Refusal of the Custom House to grant such Clearance the Meeting was adjourned to the next day, in order to consider what was to be done, when the said Owner was required to demand a Permit from the Naval Officer to pass the Castle, which being also refused, he was ordered to apply to the Governor in person for such Permit; which being also refused he returned and made his Report to the Meeting; whereupon numbers of the people cried out a Mob, a Mob, & left the House, and immediately a body of Men disguised like Indians, & encouraged by M^r John Hancock, Sam^l Adams and others repaired to the Wharf, where three Vessels having Tea on board, lay aground, and took possession of the said Vessels, and in two hours the whole of the Tea was consumed.

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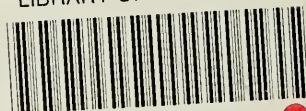




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